



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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DATE: 10 October 2022

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

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

A meeting of the Executive, Resources and Contracts Policy Development and
Scrutiny Committee will be held Bromley Civic Centre on **TUESDAY 18 OCTOBER
2022 AT 7.00 PM**

TASNIM SHAWKAT

Director of Corporate Services & Governance

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

PART 1 AGENDA

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

STANDARD ITEMS

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

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

Questions specifically on reports on the agenda should be received within two working days of the normal publication date of the agenda. Please ensure that questions specifically on reports on the agenda are received by the Democratic Services Team by **5pm on 12 October 2022.**

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

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

4 **MINUTES OF THE EXECUTIVE, RESOURCES AND CONTRACTS PDS COMMITTEE MEETING HELD ON 5 OCTOBER 2022 (EXCLUDING EXEMPT ITEMS) (Pages 5 - 16)**

5 **MATTERS OUTSTANDING AND WORK PROGRAMME (Pages 17 - 22)**

6 **FORWARD PLAN OF KEY DECISIONS (Pages 23 - 32)**

HOLDING THE RESOURCES, COMMISSIONING AND CONTRACTS PORTFOLIO HOLDER TO ACCOUNT

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

Portfolio Holder decisions for pre-decision scrutiny.

a **EMPTY HOMES PREMIUM (Pages 33 - 42)**

HOLDING THE EXECUTIVE TO ACCOUNT

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

Members of the Committee are requested to bring their copy of the agenda for the Executive meeting on 19 October 2022.

POLICY DEVELOPMENT AND OTHER ITEMS

9 **INFORMATION ITEMS**

The items comprise:

- Risk Register (Red Risks)

Members have been provided with advance copies of the briefing via e-mail. The briefing is also available on the Council's Website at the following link:

<http://cds.bromley.gov.uk/ieListMeetings.aspx?CId=559&Year=0>

Information Items will not be debated at Executive, Resources and Contracts PDS Committee unless a member of the Committee requests a discussion be held. 24 hours' notice must be given to the Clerk.

PART 2 AGENDA

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

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

Items of Business

Schedule 12A Description

11 EXEMPT MINUTES OF THE MEETING HELD ON 5 OCTOBER 2022 (Pages 43 - 46)

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

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EXECUTIVE, RESOURCES AND CONTRACTS POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 5 October 2022

Present:

Councillor Simon Fawthrop (Chairman)
Councillor Shaun Slator (Vice-Chairman)
Councillors Kathy Bance, Mark Brock,
David Cartwright QFSM, Kira Gabbert, Alisa Igoe,
Julie Ireland, Simon Jeal, Jonathan Laidlaw, Keith Onslow,
Tony Owen, Will Rowlands, Mark Smith, and
Melanie Stevens.

Also Present:

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

34 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillors Adams, Evans and McGregor.
Councillors Bance, Onslow and Igoe attended as their respective substitutes.

35 DECLARATIONS OF INTEREST

Councillor Fawthrop declared a pecuniary interest as an employee of British Telecom (BT). Councillor Fawthrop left the meeting for the duration of Minutes 42(17) and 45(24) – IT Procurement and Provision (Part 1 and Part 2). The Vice-Chairman took the Chair for the two items.

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

No questions were received.

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

The minutes of the Executive, Resources and Contracts PDS Committee meeting held on 28 July 2022, were agreed and signed as a correct record.

38 MATTERS OUTSTANDING AND WORK PROGRAMME Report CSD22094

The report dealt with the Committee's business management including the proposed work plan for the 2022/23 municipal year.

Members noted that proposals for the Civic Centre redevelopment would be considered by the Executive (and therefore scrutinised by the Committee) in November 2022.

A Members requested that an update on the further tranche of the Household Support Grant be provided.

In response to a question, the Portfolio Holder for Resources Commissioning and Contracts Management advised that the item on Biggin Hill would be scrutinised by the Committee before the end of the year.

A Member requested that the Committee be provided with adequate opportunity to read and reflect on the report concerning the Operational Property Review noting that last year there had been some delays publishing the report which had resulted in Members having limited time to review the report prior to the meeting.

A Member requested that the Committee consider Energy Strategy during the year. The Chairman advised that consideration would have to be given to when and how the Committee would review energy strategy as it was a cross departmental issue.

The Committee noted that the Chairman had requested a report on Free Speech be presented in November.

RESOLVED: That the report be noted.

39 FORWARD PLAN OF KEY DECISIONS

The Committee noted the Forward Plan of Key Decisions covering the period August 2022 to November 2022.

40 SCRUTINY OF THE CHIEF EXECUTIVE

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

- The new Council Website was gradually bedding in, and problems were being resolved as they were reported. There had initially been

issues with the migration of data and these had been resolved. The Chief Executive was proud of the work that had been done and the new website would be monitored to ensure that search results were as efficient and as accurate as possible. The Committee noted that as companies such as Google, Microsoft and Amazon used artificial intelligence (AI) for their search functionality, search results would be tailored to a user's account and previous search history. It was therefore worth registering for an account in order to improve search results. IT would be asked to investigate issues that had been reported with website links that were over six months old and Council forms would be reviewed to ensure that they referred users to the new website.

- The Leadership Board had been monitoring the Household Support Grant and Members were encouraged to refer any outstanding issues in relation to receipt of vouchers to the Chief Executive for further investigation.
- If a further Household Support Scheme was brought forward it was likely that slightly different proposals for the administration of the scheme would be presented to Members and further advice would be given nearer the time.
- In respect of Inspection readiness, the Chief Executive explained that there were three regulated services which were subject to unannounced inspections.
- In relation to the Local Government Settlement and the Fairer Funding review, Members noted that delays to the Fairer Funding Review meant that Bromley was in receipt of less government funding but was managing the same or increased expectations in terms of service delivery. The Council continued to lobby and raise concerns with colleagues in central government. In addition the Council's fiscal policy remained the same in terms to delivering services within the available budget envelope.
- Service delivery and the performance of all departments across the Council was monitored using a RAG rating. The Public Affairs team, in particular, had a detailed work plan setting out public engagement initiatives and communications plans for specific projects. The team were held to account and would continue to grow.
- The Council was awaiting the policy direction from central government in respect of Homes for Ukraine as funding was predicated on that policy direction. Once the direction of travel was known there would be clear communication with both Ukrainian guests and their sponsors.
- The Council was reviewing the impact of the cost-of-living crisis on children and families. The Council website was being updated to ensure information about the additional support available was provided. Directors were undertaking a review of statutory obligations.
- The Council continued to deliver its Digital Strategy and the need to be ambitious and consider what more could be done was recognised. Residents were encouraged to access services online but where this

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was not possible one to one support from Council Officers was available.

- There were a number of Council priorities that lay with individual services and directors such as recruitment of foster carers which was the responsibility of the Director of Children's Services.
- Officers were duty bound to provide Members with adequate information to facilitate sound decision making. There was a balance between detail and focus and Officers would be asked to provide the detail required as succinctly as possible.
- Information on the use of the Covid fund for the year to date – what it had been used for and the remaining balance – would be provided following the meeting.

The Committee thanked the Chief Executive for his informative and helpful update.

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

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

A CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2022/23 Report FSD22070

On 6th October 2022, the Executive would receive a report summarising the current position on capital expenditure and receipts following the 1st quarter of 2022/23 and would be asked to agree a revised capital programme for the four-year period 2022/23 to 2025/26. The report highlighted changes to be put to the Executive and the Leader in respect of the capital programme for the Resources, Commissioning and Contract Management portfolio.

RESOLVED: That the Portfolio Holder be recommended to note and acknowledge the changes to be put to the Executive on 6th October 2022.

B POLICY: PUBLIC PROCUREMENT UPDATE Report CSD22102

The report provided an update and overview to Members on Transforming Public Procurement, now being considered by Parliament as The Procurement Bill. The report also noted the need to update the Council's Contract Procedure Rules in due course to ensure compliance with updated Regulations; and it recommended the development of a formal 'Local Procurement Priorities' policy document as a side document to 'Making Bromley Even Better'.

In response to a question concerning the additional pressure on capacity, resource and planning, the Assistant Director for Governance and Contracts

confirmed that there had not yet been any mention of additional funding to support the requirements of the Procurement Bill although the final details and additional actions had not yet been received. At the moment the Council had no plans to commit additional resource, the initial focus would be to establish regular, simple processes to manage notices. Every opportunity needed to be explored to provide efficient processes and to manage the new requirements appropriately.

The Committee noted that there were currently no specific timescales for the local priorities document as it would depend on the nature of consultation with Members. Officers would work to deliver the local priorities document as soon as possible however it was important that the document also reflected the Procurement Bill.

In response to a question, the Assistant Director for Governance and Contracts confirmed that the Procurement Bill did seek to make it easier to take account of the past performance of a contractor, although it was also possible under the current arrangements.

The Assistant Director for Governance and Contracts also confirmed that the CIPFA guidelines of a 60% price and 40% quality split for contracts was within the current Contract Procedure Rules and would be the starting point for any new Contract Procedure Rules.

RESOLVED: That the Portfolio Holder be recommended to note the update on Transforming Public Procurement; and to agree the proposed approach for both the development of 'Bromley Local Procurement Priorities' as set out in paragraphs 3.23 to 3.30 of the report and the update of the Councils Contract Procedure Rules as set out in paragraphs 3.31 to 3.37 of the report.

42 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee considered the following reports on the Part 1 agenda for the meeting of the Executive on 6 October 2022:

(5) BUDGET MONITORING 2022/23 Report FSD22068

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

The Chairman reported that he had asked for some further information about the projected budget overspend for Legal Services and at the moment, excluding any invoices pending or waiting to be paid, around £150,000 of the expected £500,000 had been spent.

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In response to a question concerning the cost of IT Procurement, the Director of Finance confirmed that the one-off costs had been built into the budget and the ongoing running costs needed to be built in. In terms of the revenue budget next year, costs would be reflected but not any direct saving as this was mitigated against future costs.

The Director of Finance also highlighted the impact of rising inflation on the contingency which had previously provided an element of flexibility. However, there was concern that the impact of inflation was now so significant that some of that flexibility would be lost. This would be reflected in the report presented to Members in January 2022.

RESOLVED: That the Executive be recommended to

- 1. Consider the latest financial position;**
- 2. Note that a projected net overspend on services of £8,036k is forecast based on information as at July 2022.**
- 3. Consider the comments from Chief Officers detailed in Appendix 2;**
- 4. Note the carry forwards being requested for drawdown as set out in paragraph 3.3 of the report.**
- 5. Note a projected reduction to the General Fund balance of £2,177k as detailed in section 3.4 of the report.**
- 6. Note the full year cost pressures of £8.255m as detailed in section 3.5 of the report.**
- 7. Agree to the release of funding from the 2022/23 central contingency as detailed in paragraphs 3.2.2 to 3.2.23 of the report;**
- 8. Agree to the release of £600k from the Growth Fund reserve for the Local Plan review as detailed in paragraph. 3.9 of the report.**
- 9. Identify any issues that should be referred to individual Portfolio Holders for further action.**
- 10. Note the change in General Fund Earmarked Reserves as detailed in paragraph 3.12 of the report.**
- 11. Recommend that Council agree a sum of £2.4m be drawn down from the 2022/23 contingency as detailed in paragraph 3.2.2 of the report.**

**(6) CAPITAL PROGRAMME MONITORING – 1ST QUARTER 2022/23
Report FSD22071**

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

RESOLVED: That the Executive be recommended to

- 1. note the report, including a total re-phasing of £4,482k from 2022/23 into future years, and agree a revised capital programme**
- 2. approve the following amendments to the Capital Programme:**
 - (i) increase of £8,478k to the Basic Needs capital scheme (paragraph 3.5.1 of the report) i**
 - (ii) addition of £383k of SCA grant and of £466k of Salix grant to the Capital Maintenance scheme (paragraph 3.5.2 of the report)**
 - (iii) increase of £2,443k to the Disabled Facilities Grant capital scheme (para 3.5.3 of the report) i**
- 3. Recommend that Council approve the total increase of £8,478k to the Basic Needs capital scheme, £849k to the Capital Maintenance scheme, and £2,443k to the Disabled Facilities Grant capital scheme (see paras 3.5.1 to 3.5.3)**

**(12) URBAN DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT
- CONSULTATION DRAFT
Report HPR2022/45**

The report recommended that the draft Urban Design Guide Supplementary Planning Document (SPD) be published for six weeks public consultation.

The report had previously been considered by the Development Control Committee on 27 September 2022 and the Renewal Recreation and Housing PDS Committee on 4 October 2022.

A Member of the Committee expressed concern that an item that had already been scrutinised by a PDS Committee was being considered by the Executive, Resources and Contracts PDS Committee. In response the Chairman explained that he had been made aware that there had been some changes to the amendments proposed by the Development Control Committee, and he was using his Chairman's prerogative to ask the

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Executive, Resources and Contracts PDS Committee to reaffirm the amendments proposed by the Development Control Committee.

RESOLVED: That the Executive, Resources and Contracts PDS Committee reaffirm the amendments proposed by the Development Control Committee on 27 September 2022.

**(17) IT PROCUREMENT AND PROVISION (PART 1)
Report CSD22069**

(Having previously declared a pecuniary interest the Chairman left the room, and the Vice-Chairman assumed the Chair)

The report provided an analysis of the work agreed by the Executive at its meeting on 30 June 2021 and set out options and recommendations for the Executive to consider on the future of IT Services including procurement options. The Portfolio Holder for Resources, Commissioning and Contract Management had been consulted on the analysis of options in this report. Any future changes to the IT infrastructure technology would be submitted for consideration and decision making by Members as and when necessary, as they would be part of the IT infrastructure transformation.

In response to a number questions, the Assistant Director for IT advised that the SWOT analysis was something that was undertaken for IT projects and had previously proved successful. The Assistant Director further advised that consultancy costs for the last two years related to IT projects and that some costs would be reduced as a result of the further in-house capacity.

The Assistant Director for IT further advised that the core service received from BT was good however a review of the market and value for money suggested that the best option would be to make increases to the in-house capacity to future proof the service and bridge the capacity gap. The Committee noted that where IT advice was needed, departments were required to approach the Council's IT department in the first instance. If expertise was available in house this was utilised and where necessary external expertise was purchased.

The Assistant Director agreed to bring back paper prior to any extension after the initial five-year period.

RESOLVED: That the Executive be recommended to note the options explored in the report.

(18) PROPERTY INVESTMENT FUND PORTFOLIO – PORTFOLIO PERFORMANCE, INVESTMENT STRATEGY AND MITIGATION FUND (PART 1)

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

Members noted that the retail sector had been struggling and this had resulted in an impact on the Council's investments funds. However, some high street properties had been purchased for strategic reasons and the fluctuations in property value would only become an issue at the point the properties were sold. The Chairman noted that the high street properties were currently proving an income stream through the rent paid by tenants.

In response to a question, the Head of Estates and Asset Management advised that the report detailed 21 assets held in the Investment Fund which were intended to generate a revenue stream that supported Council service delivery. The properties were all let to tenants, and the key objectives were maximising revenue and mitigating against falling revenue. The Committee noted that in 2020 the Executive had taken the decision to bring in an external firm of Chartered Surveyors to provide advice on the Asset Management Plan for the Investment Fund and Officers were now seeking authority to proceed with the recommended strategy. In terms of resourcing, the Council's Property Team was relatively slim, but it was a team of fully qualified Chartered Surveyors with support from an external resource which had already been bought in.

Members noted that the priority of the Investment Fund in 2014 had been to invest money and achieve income. The properties had been bought on a long-term basis and the report before the Committee set out that there had been a 13% return on the initial investment suggesting that the priority had been met. The Chairman also highlighted that there had been a great deal of scrutiny when the properties had been purchased.

A Member expressed concern around the approach being taken and the initial lack of active management of the investment property portfolio. It was suggested that a professional company should have been bought in to actively manage the portfolio from the start. The Member requested that the Committee have sight of the results of the active management strategy after the first year.

The Chairman advised the Committee that he had requested that consideration be given to a joint venture with Fidelity who managed the Pension Fund.

RESOLVED: That the Executive be recommended to approve

- 1. The adoption of the Investment Strategy (Strategic Objectives) as set out in Section 3.3 (3.3.21)**
- 2. The adoption of the Key Performance Indicators as set out in Section 3.3 (3.3.23 – 3.3.25)**

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- 3. The creation of a mitigation fund equating to 10% of the rental income generated by the Investment Fund properties as set out in Section 3.3 (3.3.26 – 3.3.30) with reporting on this to be included within the annual ERC PDS portfolio performance reports.**
- 4. Delegate authority to the Director, Assistant Director & Head of Estates & Asset Management in consultation with the Portfolio Holder for Resources to act within the adopted Strategy and Key Performance Indicators**
- 5. The disbandment of the Property Investment Advisory Board to be replaced with regular Officer briefings to the Portfolio Holder for Resources for general asset management and performance updates with reporting to the Executive for material deviations from the adopted Investment Strategy and for key decisions such as acquisitions and disposals alongside the annual comprehensive performance report currently in place.**

43 POLICY DEVELOPMENT AND OTHER ITEMS

A CONTRACTS REGISTER AND CONTRACTS DATABASE UPDATE Report CSD22104A

The report presented September 2022's Corporate Contracts Register for consideration. The Contracts Register presented in 'Part 2' of the agenda included a commentary on each contract to inform Members of any issues or developments.

In opening the discussion, the Chairman highlighted that there were no flagged contracts.

The Committee requested that the font size of the Contracts Register be increased, consideration be given to the colour of the paper for the Part 2 report, and the print quality be improved to better facilitate ease of reading. A Member highlighted that the Excel spreadsheet had been circulated via email and the document was available online – these electronic versions could be magnified.

In response to a question the Assistant Director for Governance and Contracts confirmed that the contracts on the register were ordered based on the RAG rating and the value of the contract.

RESOLVED: That the report be noted.

44 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**

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

The Committee considered the following reports on the Part 2 agenda for the meeting of the Executive on 6 October 2022:

**(17) IT PROCUREMENT AND PROVISION (PART 2)
Report CSD22069B**

The Committee noted the Part 2 (exempt from publication) information and made recommendations to the Executive.

(18) PROPERTY INVESTMENT FUND PORTFOLIO – PORTFOLIO PERFORMANCE, INVESTMENT STRATEGY AND MITIGATION FUND (PART 2)

The Committee noted the Part 2 (exempt from publication) information and made recommendations to the Executive.

The Meeting ended at 8.41 pm

Chairman

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Agenda Item 5

Report No.
CSD22111

London Borough of Bromley

PART ONE - PUBLIC

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

Date: 18 October 2022

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

Title: MATTERS OUTSTANDING AND WORK PROGRAMME

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

Chief Officer: Director of Corporate Services and Governance

Ward: All Wards

1. Reason for decision/report and options

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

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

2. **RECOMMENDATION(S)**

That PDS Committee reviews and comments on:

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

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
-

Transformation Policy

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

Financial

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

Personnel

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

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
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Matters Outstanding from Previous Meetings

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

Work Programme

- 3.2 Each PDS Committee determines its own work programme, balancing the roles of (i) pre-decision scrutiny and holding the Executive to account, (ii) policy development and review and (iii) external scrutiny. ERC PDS Committee has the additional role of providing a lead on scrutiny issues and co-ordinating PDS work.
- 3.3 PDS Committees need to prioritise their key issues. The work programme also needs to allow room for items that arise through the year, including Member requests, call-ins and referrals from other Committees. Committees need to ensure that their workloads are realistic and balanced, allowing sufficient time for important issues to be properly scrutinised. Members also need to consider the most appropriate means to pursue each issue – the current overview and scrutiny arrangements offer a variety of approaches, whether through a report to a meeting, a time-limited working group review, a presentation, a select committee style meeting focused on a single key issue, or another method.
- 3.4 **Appendix 2** sets out the ERC PDS Committee Work Programme for 2022/23, including: the provisional report title (or activity); the lead division; and Committee's role. Committee is invited to comment on the proposed schedule and suggest any changes it considers appropriate. Other reports will be added to the 2022/23 Work Programme as items arise. In addition, there may also be references from other committees, the Resources, Contracts and Commissioning Portfolio Holder, or the Executive.

Sub-Committees and Working Groups

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

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

MATTERS OUTSTANDING FROM PREVIOUS MEETINGS

Minute Number/Title /Date	Action/PDS Request	Update	Action by	Expected Completion Date
38 Matters Outstanding and Work Programme (5 October 2022)	That an update on the further tranche of the Household Support Fund be provided.	A report will be presented to the Executive (and scrutinised by ERC PDS) in October 2022	Director of Housing, Planning and Regeneration	October 2022
40 Scrutiny of the Chief Executive (5 October 2022)	That information on the use of the Covid fund for the year to date – what it has been used for and the remaining balance – be provided following the meeting.		Director of Finance	October 2022

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

Meeting Date: 23 November 2022	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Treasury Management – Quarter 2 Performance 2022/23 & Mid-Year Review	Finance	Pre-decision scrutiny (PH)
Insurance Fund – Annual Report 2021/22	Finance	Pre-decision scrutiny (PH)
BT/ICT Contract Monitoring Report	IT	PDS Committee – Monitoring Report
Scrutiny of the Leader (including short written summary)	N/A	PDS Committee
Cost of Agency Staff	HR	PDS Committee
Free Speech (Chairman’s Request)	Corporate Services/HR	PDS Committee
Section 106 Agreements: Update	Finance/Planning	PDS Committee
Risk Registers	Audit	Information Briefing
Meeting Date: 5 January 2023	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Capital Programme Monitoring - 2nd Quarter 2022/23	Finance	Pre-decision scrutiny (PH)
Benefits Service Monitoring Report	Revenues & Benefits	PDS Committee – Monitoring Report
Revenues Service Monitoring Report	Revenues & Benefits	PDS Committee – Monitoring Report
Exchequer Service - Contract Performance Report	Finance	PDS Committee – Monitoring Report
Customer Services - Contract Performance Report	Customer Services	PDS Committee – Monitoring Report
Scrutiny of the Resources, Commissioning & Contract Management Portfolio Holder (including short written summary)	N/A	PDS Committee
Scrutiny of the Executive Assistant to the Leader (including short written summary)	N/A	PDS Committee

Meeting Date: 2 February 2023	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Treasury Management Strategy 2023/24 and Quarter 3 Performance 2022/23	Finance	PH Decision/Council
Annual Investment Strategy 2023/24	Finance	PH Decision/Council
Scrutiny of the Chief Executive (including short written summary)	N/A	PDS Committee
Scrutiny of the Resources, Commissioning and Contract Management Executive Assistant (<i>if applicable</i>) (including short written summary)	N/A	PDS Committee
Contracts Register and Contracts Database Update	Governance and Contracts	PDS Committee
Property Investment Update	Property	PDS Committee
Insurance Fund – Annual Report 2021-22	Insurance and Risk	PDS Committee
Risk Register (Red Risks)	Audit	Information Briefing
Meeting Date: 22 March 2023	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Post-Completion Review of Oracle Fusion Implementation	Finance.	PDS Committee.
Scrutiny of The Leader (including short written summary)	N/A	PDS Committee
Annual PDS Report 2022/23	Democratic Services	PDS Committee
Not Programme.	Division	Committee Role
Civic Centre Development Scheme Update	Property	PDS Committee

*Part 2 (Exempt) Report

LONDON BOROUGH OF BROMLEY

FORWARD PLAN OF KEY AND PRIVATE EXECUTIVE DECISIONS PUBLISHED ON: 10 OCTOBER 2022 (v.2)

PERIOD COVERED: October 2022 - November 2022

DATE FOR PUBLISHING NEXT FORWARD PLAN OF KEY AND PRIVATE EXECUTIVE DECISIONS: 1 NOVEMBER 2022

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
COUNCIL						
ADDITIONAL STAFFING FOR CHILDREN'S SOCIAL CARE	Council	10 October 2022 Executive and Children, Education & Families PDS Committee	Meetings	Contact Officer: Richard Baldwin Richard.Baldwin@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
COUNCIL TAX SUPPORT 2023/24	Council	12 December 2022 Executive, Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Jayne Carpenter Tel: 020 8461 7996 Jayne.Carpenter@bromley.gov.uk	<u>Meetings in public</u>	Report and relevant background documents
COUNCIL TAX LEVEL 2023/24	Council	27 February 2023 Executive, PDS Committees, business community & local residents	Meetings	Contact Officer: Peter Turner Tel: 020 8313 4668 peter.turner@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
REVENUE BUDGET 2023/24	Council	27 February 2023 Executive, PDS Committees, business community and local residents	Meetings	Contact Officer: Peter Turner Tel: 020 8313 4668 peter.turner@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
CAPITAL STRATEGY 2023 TO 2027	Council	27 February 2023 Executive, PDS Committees and key stakeholders	Meetings	Contact Officer: David Dobbs Tel: 020 8313 4145 david.dobbs@bromley.gov.uk	<u>Meetings in public</u>	Report and relevant background documents
ANNUAL INVESTMENT STRATEGY 2023/24	Council	27 February 2023 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: David Dobbs Tel: 020 8313 4145 david.dobbs@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents

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TREASURY MANAGEMENT STRATEGY 2023/24	Council	27 February 2023 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: David Dobbs Tel: 020 8313 4145 david.dobbs@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
EXECUTIVE						
ADULT SOCIAL CARE REFORMS	Executive	19 October 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Heather Sinclair-Constance heather.sinclair-constance@bromley.gov.uk	<u>Meeting in Public</u>	Report and relevant Background Documents
BIGGIN HILL AIRPORT - NOISE ACTION PLAN REVIEW - UPDATE	Executive	19 October 2022 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Matthew Amer Tel: 020 8313 4938 matthew.amer@bromley.gov.uk	<u>Meeting in Public</u>	Report and relevant background documents
BROMLEY HOUSEHOLD SUPPORT FUND	Executive	19 October 2022 Executive, Resources and Contracts PDS Committee	Meetings	Contact Officer: Tracey Wilson Tel: 020 8313 4515 tracey.wilson@bromley.gov.uk	<u>Meeting in Public</u>	Report and relevant background documents

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BROMLEY TOWN CENTRE HEALTH AND WELLBEING CENTRE DEVELOPMENT PROPOSAL ON BEHALF OF THE NHS BROMLEY ICB	Executive	30 November 2022 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Darren Essex darren.essex@bromley.gov.uk	<u>Meeting in Public</u>	Report and relevant background documents
INTEGRATED COMMUNITY EQUIPMENT STORE - GATEWAY 2 CONTRACT AWARD REPORT	Executive	30 November 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Esme Ahmeti Tel: 020 8313 4519 esme.ahmeti@bromley.gov.uk	<u>Report is expected to be considered in the public part of the agenda, with exempt material considered during confidential proceedings</u>	Report and relevant background documents
WELFARE FUND	Executive	30 November 2022 Renewal, Recreation and Housing PDS Committee	Meetings	Contact Officer: Tracey Wilson Tel: 020 8313 4515 tracey.wilson@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
OPERATIONAL PROPERTY REVIEW	Executive	30 November 2022 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Michael Watkins Tel: 020 8313 4178 Michael.Watkins@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents

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HOUSING - BECKENHAM TRIANGLE	Executive	30 November 2022 Renewal, Recreation & Housing PDS Committee	Meetings	Contact Officer: Lydia Lee Tel: 020 8313 4456 lydia.lee@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
HOUSING INFORMATION SYSTEMS	Executive	30 November 2022 Renewal, Recreation & Housing PDS Committee	Meetings	Contact Officer: Tracey Wilson Tel: 020 8313 4515 tracey.wilson@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
GATEWAY 1: ADULT MENTAL HEALTH RECOVERY AND REHABILITATION SUPPORT AT HOME SERVICE	Executive	30 November 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Kelly Sylvester Tel: 020 8461 7653 kelly.sylvester@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background document
SUBSTANCE MISUSE - GATEWAY REPORT	Executive	30 November 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Mimi Morris-Cotterill Tel: 020 8461 7779 mimi.morris-cotterill@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents

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LEASE VEHICLE PROCUREMENT - GATEWAY REPORT	Executive	30 November 2022 Environment and Community Services PDS Committee	Meetings	Contact Officer: Paul Chilton Tel: 020 8313 4849 paul.chilton@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
WEST LONDON ALLIANCE - GATEWAY REPORT	Executive	30 November 2022 Children, Education & Families PDS Committee	Meetings	Contact Officer: Phil White Tel: 020 8313 4857 philip.white@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
LEARNING DISABILITY SHORT BREAKS - CONTRACT AWARD	Executive	30 November 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Michael Fowle Tel: 020 8461 7815 michael.fowle@bromley.gov.uk	<u>Report is expected to be considered in the public part of the agenda with exempt material considered during confidential proceedings</u>	Report and relevant background documents
LEARNING DISABILITY SUPPORTED LIVING SERVICES - BROMLEY ROAD, BROSSIE WAY & PADUA ROAD - CONTRACT AWARD	Executive	30 November 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Andrew Royle Tel: 020 8461 7601 andrew.royle@bromley.gov.uk	<u>Report is expected to be considered in the public part of the agenda with exempt material considered during confidential proceedings</u>	Report and relevant background document

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HOLIDAY AND SATURDAY GROUP BASED SHORT BREAK SERVICE FOR DISABLED CHILDREN AND YOUNG PEOPLE - CONTRACT AWARD	Executive	30 November 2022 Children, Education & Families PDS Committee	Meetings	Contact Officer: Daniel Manns Tel: 020 8313 4618 daniel.manns@bromley.gov.uk	<u>Report is expected to be considered in the public part of the agenda with exempt material considered during confidential proceedings</u>	Report and relevant background documents
ADVOCACY SERVICE - CONTRACT AWARD	Executive	30 November 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Kelly Sylvester Tel: 020 8461 7653 kelly.sylvester@bromley.gov.uk	<u>Report is expected to be considered in the public part of the agenda with exempt material considered during confidential proceedings</u>	Report and relevant background documents
UKRAINE UPDATE	Executive	11 January 2023 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Tracey Wilson Tel: 020 8313 4515 tracey.wilson@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
OPERATIONAL BUILDING MAINTENANCE BUDGETS AND PLANNED PROGRAMME 2023/24	Executive	8 February 2023 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Michael Watkins Tel: 020 8313 4178 Michael.Watkins@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents

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EXTRA CARE HOUSING - STRATEGIC REVIEW	Executive	8 February 2023 Adult Care & Health PDS Committee	Meetings	Contact Officer: Jodie Adkin Jodie.adkin@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
AWARD OF CONTRACT - CAPITAL WORKS AT RED HILL PRIMARY SCHOOL	Executive	8 February 2023 Children, Education & Families PDS Committee	Meetings	Contact Officer: Robert Bollen Tel: 020 8313 4697 Robert.Bollen@bromley.gov.uk	<u>Report is expected to be considered in the public part of the meetings with exempt material considered during confidential proceedings.</u>	Report and relevant background documents
ADULT CARE & HEALTH PORTFOLIO						
CHILDREN, EDUCATION & FAMILIES PORTFOLIO						
PUBLIC PROTECTION & ENFORCEMENT PORTFOLIO						
OUT OF HOURS NOISE SERVICE	Portfolio Holder for Public Protection and Enforcement	Between 31 January 2023 and 28 February 2023 Public Protection & Enforcement PDS Committee	Meetings	Contact Officer: Sarah Newman sarah.newman@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
RENEWAL, RECREATION & HOUSING PORTFOLIO						
RESOURCES, COMMISSIONING & CONTRACT MANAGEMENT PORTFOLIO						

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
SUSTAINABILITY, GREEN SERVICES AND OPEN SPACES						
TRANSPORT, HIGHWAYS AND OPEN SPACES						
PARKING FEES REVIEW	Portfolio Holder for Transport, Highways and Road Safety	Between 22 November 2022 and 9 December 2022 Environment & Community Services PDS Committee	Meetings	Contact Officer: Angus Culverwell Tel: 020 8313 4959 angus.culverwell@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents

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

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

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Report No.
FSD22080

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **PORTFOLIO HOLDER FOR RESOURCES COMMISSIONING AND CONTRACTS MANAGEMENT**

Date: For pre-decision scrutiny at the Executive Resources and Contracts PDS Committee on Tuesday 18 October 2022

Decision Type: Non-Urgent Executive Key

Title: **EMPTY HOMES PREMIUM**

Contact Officer: Jayne Carpenter, Revenues and Benefit Manager
Tel: 020 8461 7996 E-mail: jayne.carpenter@bromley.gov.uk

Chief Officer: Peter Turner, Director of Finance

Ward: (All Wards);

1. Reason for decision/report and options

1.1 Proposal that a public consultation exercise is undertaken in which it is recommended that the Empty Homes Premium is increased from April 2023 to the maximum permitted under the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

2. **RECOMMENDATION(S)**

2.1 **The PDS is requested to:**

- **consider the increasing the Empty Homes Premium from April 2023 and the Equality Impact Assessment at Appendix 1**

2.2 **The Portfolio Holder to approve that a public consultation exercise is undertaken recommending that the Empty Homes Premium is increased to maximum amounts permitted.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: The Revenues Service impacts on all residents in the Authority including adults/and those with children.

Transformation Policy

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

Financial

1. Cost of proposal: Estimated £8500 for one off set up cost and consultation
2. Ongoing costs: should the proposal be approved, following consultation the approximate net additional income of £228 could be generated. This is dependent on the number of empty properties.
3. Budget head/performance centre: Exchequer - Revenues
4. Total current budget for this head: £3.6m
5. Source of funding: Existing Revenue Budget for 2022/23

Personnel

1. Number of staff (current and additional): 3 plus Liberata staff
2. If from existing staff resources, number of staff hours: if adopted the additional work will be carried out by the contractor which has been taken into account in the costing provided.

Legal

1. Legal Requirement: Non-Statutory – Government Guidance Rating (Property in Common Occupation) and Council Tax Empty Dwellings) Act 2018
2. Call-in: Not Applicable

Procurement

1. Summary of Procurement Implications: The Revenues Service forms part of the Exchequer Services contract.

Property

1. Summary of Property Implications: Not Applicable

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable

Customer Impact

1. Estimated number of users or customers (current and projected): The Empty Homes Premium affects 335 properties.

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

3.1 Background

From the 1 April 2013 Local Authorities in England have been empowered to increase Council Tax on properties which have been unoccupied and substantially unfurnished for a long period of time. This is known as the “Empty Homes Premium”, and it is up to the Local Authority to decide whether the “Premium” is levied. Until April 2019 authorities in England could charge up to 150% of the Council Tax payable on the property (different rates applied Scotland and Wales). In the November 2017 Budget, The Chancellor announced the intention to increase bring the maximum premium in England up to 200% with effect from the 2019/20 financial year.

Included in the Act were additional provisions covering properties that were empty for very long periods. The provisions provided for the maximum additional rates as follows:

- 100% extra for properties empty for 2 – 5 years
- 200% extra for properties empty for 5 – 10 years (commencing in 2020)
- 300% extra for properties empty for 10+ years (commencing 2021)

At the meeting on the 27 November 2019 the Executive considered a proposal that an Empty Homes Premium be introduced from April 2020 at the rate of 50% for properties empty for over 2 years increasing to 100% where the property had been empty for more than 5 years. The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 20 November 2019, the Committee had supported the recommendations. It was also noted that the following years public consultation exercise should set out all options available for consideration.

The Executive approved the introduction of the Empty Homes Premium from 1 April 2020 at the rate of 50% for the properties empty for longer than 2 years, increasing to 100% where a property has been empty for over 5 years.

The introduction of the premium brought the Council in line with almost every London Borough who were already charging a premium.

At the meeting on the 13 January 2021, Executive considered proposals to increase the Empty Homes Premium from April 2021 to the maximum permitted under the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018. A public consultation exercise had been undertaken and the results were set out in the report. Although Members considered that there was strong case for increasing the premium it was decided, given the impact of the pandemic, that it was not the right time to do so and deferred making any decision.

The decision was originally deferred for one year but the uncertainty over owners’ ability to sell or bring the properties back into occupation lasted longer than anticipated.

3.2 Impact of the Empty Homes Premium

The Empty Homes Premium primary purpose is to encourage owners to bring properties back into occupation but since the implementation of premium in April 2020 there has been a small increase in total number of empty properties that have been empty between 2 to 5 years.

Period empty	Number of properties empty as at 20.3.20	Number of properties empty as at 13.12.20	Number of properties empty as at 30.6.21	Number of properties empty as at 30.6.22
Empty for 2 – 5 years	217	209	218	239
Empty 5 - 10 years	49	70	79	61
Empty over 10 years	23	25	24	26
Total	289	304	321	326

It is difficult to ascertain from the Council Tax records the exact reason why individual properties remain empty as the majority of owners (especially those who have paid the additional Council Tax) have not provided any information, however, some of the reasons appear to be:

- Executors liable for the property (will disputes)
- Difficulties selling retirement properties (high services charges and short leases)
- Properties awaiting redevelopment
- Properties being prepared for sale

3.3 The current number of properties by Council Tax band to which the Empty Homes Premium is being applied

At the 30 September 2022 an EHP was applied to 335 properties. The table below shows the long-term empty properties by Council Tax band and by the number of years they have been empty:

Band	A	B	C	D	E	F	G	H	Total
Number of properties Empty between 2 and 5 years (50% premium)	10	41	79	59	25	13	17	2	246
Number of properties Empty between 5 and 10 years (100% premium)	5	14	19	13	5	2	2	2	62
Number of properties empty over 10 years (100% premium)	0	1	7	11	4	3	0	1	27
Total number of properties to which an EHP is being applied	15	56	105	83	34	18	19	5	335

3.4 Consultation

It is being recommended that a 6-week public consultation exercise is undertaken recommending that Empty Homes Premium is increased from April 2023 to the maximum permitted under the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

Set out the in the table below is the current premium being levied and the maximum options available from April 2023:

Period empty	Premium levied since 1.4.20	Maximum Premium options for 1.4.23
Empty for 2 – 5 years	50%	100%
Empty 5 - 10 years	100%	200%
Empty over 10 years	100%	300%

4 IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.1 Attached as Appendix 2 is the Equality Impact Assessment (EIA). The assessment did not identify any impact on groups with protected characteristics.

5 FINANCIAL IMPLICATIONS

5.1 The table below shows the projected additional income that may be available should the level of the premium be increased as set out in the table above. These figures are based on the level of empty properties as of 30 September 2022 and Band “D” Council Tax levels for 2022/23 with a 15% reduction in empty properties.

	£'000	£'000
Potential additional Council Tax raised through the increase in the Premium	415	
Less 15% assumed reduction in Empty Properties	<u>-62</u>	
Total potential additional income	353	
Less GLA estimated proportion of 20.8%	<u>-73</u>	
Potential Additional net income for LBB		280
Less additional collection costs		<u>-52</u>
Net additional potential income for LBB		<u>228</u>

- 5.2 The additional collection cost of 52k is based on full-time equivalent member of staff covering the tasks of billing, recovery, visiting and customer services. The costs also cover printing, postage, traveling, tribunal appearances and legal costs.
- 5.3 These figures might be significantly reduced by properties going back into occupation and/or owners identifying means of avoiding liability for the Premium. Based on the reduction in the long-term empty properties since the introduction of the Premium assumptions have been made that the number of long-term empty properties and corresponding income will fall by 15%.
- 5.4 The one-off set up and consultation costs of approximately £8500 will be met from existing revenue budgets.

6. TRANSFORMATION/POLICY IMPLICATIONS

One of the “Making Bromley Even Better” ambitions is to manage our resources well, providing value for money, efficient and effective services for Bromley’s residents.

7. LEGAL IMPLICATIONS

- 7.1 The Local Government Finance Act 2012 amended the Local Government Finance Act 1992 by adding section 11B which gave local authorities the ability to charge an increased amount of Council Tax on unoccupied properties. Section 2 of the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 amended 11B.
- 7.2 There is no statutory duty to consult on the Empty Home Premium however to do so is represents best practice. Having consulted then the council must have regard to the consultation outcome although it is not bound by it.

8. CUSTOMER IMPACT

- 8.1 The Empty Homes Premium currently impacts on 335 empty properties..

Non-Applicable Headings:	Personnel, Procurement, Property, Carbon Reduction and Social Value and Ward Councillors views
Background Documents: (Access via Contact Officer)	

Name and job title of completing officer

Jayne Carpenter, Revenues and Benefits Manager

1. Summary of Proposal, impact on groups with protected characteristics and mitigating actions

<p>a) What is your proposal? To increase the Empty Homes Premium from the financial year 2023/24 to 100% for properties empty longer than 2 years, increasing to 200% where the property has been empty for 5 years and 300% when the property has been empty over 10 years.</p> <p>Initial calculations suggested that 335 properties would be impacted by the increase in the premium of which 89 have been empty for over 5 years.</p>
<p>b) Impact on groups with protected characteristics and mitigating actions</p> <p>None identified</p>
<p>c) Summarise any potential negative impact(s) identified and mitigating actions</p> <p>N/A</p>

Equality Impact Assessment – Introduction of Empty Homes Premium Appendix 1

2. Assessing impact

<p>You are required to undertake a detailed analysis of the impact of your proposals on groups with protected characteristics. You should refer to borough profile data, equalities data, service user information, consultation responses and any other relevant data/evidence to help you assess and explain what impact (if any) your proposal(s) will have on each group. Where there are gaps in data, you should state this in the boxes below and what action (if any), you will take to address this in the future.</p>	<p>What does the evidence tell you about the impact your proposal may have on groups with protected characteristics? Click the relevant box to indicate whether your proposal will have a positive impact, negative (minor, major) or no impact</p>
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Protected characteristics	For each protected characteristic, explain in detail what the evidence is suggesting and the impact of your proposal (if any). Click the appropriate box on the right to indicate the outcome of your analysis.	Positive impact	Minor impact	Major impact	No Impact
Age	This proposal is only affecting the empty properties. Where the property has been left as the resident is receiving care which may be due to age then this policy change will not affect them as there is a council tax exemption which applies. Council tax is only payable by persons over the age of 18. Age is not held on the council tax system unless noted as an indicator of vulnerability. This policy is dependent on the length of time the property has remained empty not on a council tax payers age.				✓
Disability	This proposal is only affecting empty properties where they have been empty for 2 years or more. This should allow any customers who need additional support to sell or rent their 2 nd time property to get this in place. This policy is dependent on the length of time the property has remained empty not on a council tax payers disability. A customers disability will only be held on the council tax records if they are: - a) claiming a disabled band reduction which is only applicable on occupied properties b) claiming a discount as a carer of someone else in the property which is only applicable on occupied properties c) Claiming a discount as severely mentally impaired which is only applicable on occupied properties.				✓
Gender assignment	This proposal is only affecting empty properties. This policy is dependent on the length of time the property has remained empty not on a council tax payers gender reassignment. This information is not held on the council tax records				✓

Equality Impact Assessment – Introduction of Empty Homes Premium Appendix 1

Marriage and civil partnership	This proposal is only affecting empty properties where they have been for 2 or more years. Whilst a council taxpayers title may be held on our records, this policy is dependent on the length of time the property has remained empty not on a council tax payers marital or civil partnership status.				✓
Pregnancy and maternity	This proposal is only affecting empty properties where they have been for 2 or more years. This policy is dependent on the length of time the property has remained empty not on a council tax payers pregnancy or maternity status. This information is not held on the council tax records unless it has been noted as indicator of vulnerability.				✓
Race/Ethnicity	This proposal is only affecting empty properties where they have been for 2 or more years. This policy is dependent on the length of time the property has remained empty not on a council tax payers race/ethnicity. This information is not held on the council tax records.				✓
Religion or belief	This proposal is only affecting empty properties where they have been for 2 or more years. This policy is dependent on the length of time the property has remained empty not on a council tax payers religion or belief. This information is not held on the council tax records.				✓
Sex	This proposal is only affecting empty properties where they have been for 2 or more years				✓
Sexual Orientation	This proposal is only affecting empty properties where they have been for 2 or more years. This policy is dependent on the length of time the property has remained empty not on a council tax payers sexual orientation. This information is not held on the council tax records.				✓

Equality Impact Assessment – Introduction of Empty Homes Premium Appendix 1

3. Actions to mitigate/remove negative impact

Only complete this section if your assessment (in section 2) suggests that your proposals may have a negative impact on groups with protected characteristics. If you have not identified any negative impacts, please complete sections 4 and 5.

In the table below, please state what these potential negative impact(s) are, mitigating actions and steps taken to ensure that these measures will address and remove any negative impacts identified and by when. Please also state how you will monitor the impact of your proposal once implemented.

State what the negative impact(s) are for each group identified in section 2. In addition, you should also consider and state potential risks associated with your proposal.	Measures to mitigate negative impact (provide details, including details of and additional consultation undertaken/to be carried out in the future). If you are unable to identify measures to mitigate impact, please state so and provide a brief explanation	What action(s) will you take to assess whether these measures have addressed and removed any negative impacts identified in your analysis? Please provide details. If you have previously stated that you are unable to identify measures to mitigate impact please state below.	Deadline date	Lead Officer

Signed: Jayne Carpenter, Revenue and Benefits Manager
 Date: 6 October 2022

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