

EXECUTIVE

Minutes of the meeting held on 5 July 2023 starting at 7.00 pm

Present:

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

Also Present:

Councillor Simon Jeal

14 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Christopher Marlow and Councillor Angela Page. The Chairman of the Executive, Resources and Contracts PDS Committee, Councillor Fawthrop, had also sent apologies.

15 DECLARATIONS OF INTEREST

There were no declarations of interest.

16 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 17 MAY 2023

The minutes of the meeting held on 17 May 2023 (excluding exempt information), were agreed and signed as a correct record.

17 QUESTIONS

One question for written response had been received and this is attached at Appendix A.

18 PROVISIONAL FINAL ACCOUNTS 2022/23 Report FSD23041

The report considered the 2022/23 provisional outturn at portfolio level and Council wide as well as the potential implications for the Council's financial position in 2023/24. The purpose of the report was to give a broad overview of the financial outturn.

The 2022/23 provisional outturn provided for a zero increase in general fund balances, subject to the recommendations in this report being agreed.

More detailed reports would be submitted to individual PDS Committees. Details of the carry forward requests and a summary of the Council's capital programme were also considered in the report.

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The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 3 July 2023 and the Committee had supported the recommendations and proposed the following additional recommendation:

That Directors ensure that all future growth/cost pressures, prior to being reported to members for consideration, include all mitigation options and savings relating to their respective service areas recognising that any such additional costs are currently unfunded given the Council's budget position.

RESOLVED: That

- 1. The provisional revenue and capital outturns for the 2022/23 financial year and the earmarked balances on the General Fund as at 31st March 2023 be noted;**
- 2. The variations in 2022/23 impacting on the Council's 2023/24 financial position be noted;**
- 3. The comments from Chief Officers as detailed in Appendix 2 of the report be noted;**
- 4. The requests for carry forwards totalling £644k (net) as detailed in Appendix 6 be approved, subject to the funding being allocated to the Central Contingency in 2023/24 to be drawn down on the approval of the relevant Portfolio Holder;**
- 5. The changes to the central contingency sum as detailed in para. 3.5 of the report be agreed;**
- 6. A sum of £149k be set aside as a contribution to the Loneliness Strategy earmarked reserve as detailed in para. 3.8.1 of the report;**
- 7. Council be recommended to set aside a sum of £2,000k as a contribution to the Building Infrastructure earmarked reserve as detailed in para. 3.8.2 of the report;**
- 8. A sum of £675k be set aside as a contribution to the Capital Fund earmarked reserve as detailed in para. 3.8.3 of the report;**
- 9. A sum of £400k be set aside as a contribution to the Arboricultural Backlog Fund earmarked reserve as detailed in para. 3.8.4 of the report;**
- 10. The utilisation of the Growth Fund as detailed in para 3.9 of the report be noted; and**
- 11. The redesignation of various earmarked reserves for utilisation for capital financing as detailed in para 3.6.3 of the report be agreed.**
- 12. Directors ensure that all future growth/cost pressures, prior to being reported to members for consideration, include all mitigation options**

and savings relating to their respective service areas recognising that any such additional costs are currently unfunded given the Council's budget position.

**19 CAPITAL PROGRAMME OUTTURN 2022/23
Report FSD23043**

The report set out the final outturn on capital expenditure and receipts for 2022/23. Capital expenditure in the year was £21.0m, compared to the final approved budget of £120.8m, resulting in a total net variation of Cr £99.8m. For funding purposes, £50.0m slippage was assumed in the quarter 3 capital monitoring report, so there was an overall variation of Cr £49.8m in the use of capital receipts and external and revenue contributions.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 3 July 2023 and the Committee had supported the recommendations.

RESOLVED: That

- 1. The capital outturn position for 2022/23 be noted; and**
- 2. It be noted that the revenue outturn report elsewhere on the agenda requests the redesignation of various earmarked reserves which have been assumed in the capital programme financing.**

**20 APPOINTMENT OF ASCOT SERVICES TO RUN THE
FACILITIES MANAGEMENT AT CHURCHILL COURT**

The report (and the accompanying Part 2 report) provided Members with a recommendation to make a direct award via exemption to competitive tendering to Ascot Services to run the Facilities Management at Churchill Court for an interim contract of up to two years. The proposed direct award was to ensure necessary service provision was in place from the point of exchange and completion for Churchill Court, noting that a full and compliant procurement process for the longer-term service requirements would commence and be completed as soon as reasonably possible.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 3 July 2023 and the Committee had supported the recommendations.

RESOLVED: That

- 3. The report be noted.**
- 4. A direct award via exemption to competitive tendering be made to Ascot FM for the services detailed in this report for a period of up**

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to two years from 28 July 2023 at an upper estimate of £1.562M per annum (whole life upper estimate of £3.125M).

5. **Authority be delegated to the Director of Housing, Planning, Property and Regeneration to conclude negotiations with Ascot Services to determine the scope and estimated contract value for this interim contract award and, if needed, to vary the scope of the services as the Council relocates from the Civic Centre to Churchill Court over the period of the contract term – noting the capped FM cost at paragraph 2.2 of the report.**
6. **Authority be delegated to the Assistant Director of Legal Services to finalise and engross the contract as negotiated at paragraph 2.3 of the report.**
7. **It be noted that, during the term of the interim contract, a full and compliant procurement process for the Facilities Management requirement will be undertaken as soon as reasonably possible for a new contract to commence within the interim period if possible (and no later than 28 July 2025). This will be subject to formal Member decision on the procurement strategy in due course.**

21 IT MANAGED SERVICE CONTRACT AWARD

This report accompanies a Part 2 report also being considered on this agenda which recommends that the Council awards a contract for the provision of IT Services.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 3 July 2023 and the Committee had supported the recommendations.

RESOLVED: That

1. **Award the IT Services Contract as detailed in the accompanying Part 2 report for a contract period of five years to begin on 16th December 2023, with the option to extend for a further five years and including the optional service as noted in Part 2 of this report.**
2. **Delegate to the Director of Corporate Services and Governance in consultation with the Portfolio Holder for Resources, Commissioning and Contract Management, the authorisation to extend this contract for the period, and on the basis, of the recommendation at 2.1 in this report.**
3. **Delegate authority to the Director of Corporate Services and Governance to take decisions necessary to enable the implementation of the contract with the recommended bidder and to conclude all necessary contractual documentation.**

4. **Note that the procurement process and associated activities have been undertaken with due regard to and compliance with necessary regulation, rules and guidelines and with the participation of all required internal services and functions. A summary of the process and activities is provided in this report.**

22 HOUSING WITH CARE STRATEGY Report ACH23-026

The report set out the background behind what will form a 10-year 'Bromley Housing with Care Strategy' and an associated action plan. The strategy would create a roadmap taking Bromley's housing with care arrangements from where they currently are to where the Council will want to be over the next 10 years in order to meet resident demand.

A demand and needs analysis predicted an increased demand from vulnerable adults who would need to be supported to live at home and accommodated in special housing. The developing strategy was looking to mitigate the financial risk to the Council in meeting this demand and offer residents who needed extra help desirable housing and support in the community rather than in residential care homes.

The Council's vision was for older people and vulnerable adults, to have a home that would be safe, promote independence, and support good health and wellbeing, as well as quality of life. This in turn would be supported by a vibrant housing with care market that would keep pace with changes in our population.

The Housing with Care Strategy would also address the current issues relating to the quality of provision in some of the older units to ensure they were meeting the needs of residents through the fit-for-purpose built environment.

The report had been scrutinised by the Adult Care and Health PDS Committee at its meeting on 27 June 2023 and the Committee had supported the recommendations.

RESOLVED: That the proposed strategy be approved.

23 HOUSING OPTIONS & PREVENTION OF HOMELESSNESS FINANCIAL SPEND AUTHORISATION Report HPR2023/042

The Council's Housing Department had a statutory obligation to provide advice and information to all residents, to prevent or relieve their homelessness in line with the Housing Act 1996 as amended by the Homelessness Reduction Act 2017.

The Council received Homelessness Prevention Grant funding from the Department of Levelling Up, Homes and Communities (DLUHC) to assist it in

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undertaking these duties, including specialist funding for vulnerable groups within the local authority region. In previous years, this funding had been received on an annual basis; however, in this round, the Council had been allocated £3.75m in funding for 2023/24 and a further £3.78m for 2024/25. Included within this funding was a dedicated Domestic Abuse Allocation of £69k for 2023/24 and a further £100k for 2024/25.

The Council had also been allocated up to £148k funding per annum for 2023/24 and 2024/25 for the Accommodation for the Ex-Offenders Programme (AFEO) and in addition, £428k for Rough Sleeping Initiative 5 funding for 2023/24.

The report set out the breakdown of the pots of DLUHC homelessness funding received, how it would be utilised through initiatives and schemes to prevent homelessness, and how it would enhance the homelessness service offered to those fleeing domestic violence.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 15 June 2023 and the Committee had supported the recommendations.

RESOLVED:

1. **That the drawing down and spend of the following be approved:**
 - i) **Increase in Homelessness Prevention Grant for 2023/24 of £360k.**
 - ii) **The Accommodation for the Ex-Offenders Scheme grant funding of up to £148k per annum for 2023/24 and 2024/25**
 - iii) **The Rough Sleeping Initiative 5 (2023-24) grant funding of up to £428k.**
2. **Note that the report sets out the planned allocation of resources for the above three Grants.**

24 UK SHARED PROSPERITY FUND: PEOPLE AND SKILLS FUNDING
Report HPR2023/040

The report provided a summary of the plans for the UKSPF People and Skills funding allocation accessed through Local London and sought authority to accept the grant. The report set out recommendations for the spend of the grant.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 15 June 2023 and the Committee had supported the recommendations.

RESOLVED: That

8. **The acceptance of the allocation of the UKSPF grant funding totalling £534,800 be agreed, the revenue budgets be adjusted**

accordingly, and the funding to be used for the interventions set out in paragraphs 3.6 - 4.17 of the report.

9. **Authority be delegated to the Director of Education and the Director of Housing, Planning and Regeneration in consultation with the Portfolio Holder for Renewal, Recreation and Housing to move funding between the programmes to best respond to demand and ensure outputs and outcomes are met.**
10. **The additional monies already allocated to Bromley through existing programmes set out in 3.4 of the report be noted.**

25 DIGITAL INFRASTRUCTURE: STRATEGIC INVESTMENT FUND HPR2023/033

The report provided a summary of the proposal submitted to the Strategic Investment Fund and sought authority for progressing with the project. It also sought funding to maximise the economic benefits of the proposal.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 15 June 2023 and the Committee had supported the recommendations.

RESOLVED: That

11. **Subject to a successful bid outcome the use of up to £1m funding from SIF to deploy dark fibre using the communications provider procured by GLA via the TfL framework be agreed.**
12. **A new one-off capital budget of £48,600 funded from the Council's Growth Fund earmarked reserve for connecting three new CCTV camera sites and one existing dark fibre network extension be approved.**

26 ADOPTION OF ORPINGTON TOWN SUPPLEMENTARY PLANNING DOCUMENT Report HPR2023/038

The report recommended the adoption of the Orpington Town Centre Supplementary Planning Document (SPD). The SPD provided guidance to assist with the determination of planning applications in the Orpington Town Centre area, including guidance on design requirements.

A draft SPD underwent public consultation from 9 March 2022 to 1 July 2022. A significant number of responses were received covering a number of issues. The final SPD included a number of amendments in response to comments received.

The SPD also included minor amendments suggested by Development Control Committee at their meeting on 13 June 2023; and the Renewal,

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Recreation and Housing Policy Development and Scrutiny Committee at their meeting on 15 June 2023 included in the report to the Executive at Appendix 4.

RESOLVED: That the Orpington Town Centre Supplementary Planning Document (shown at Appendix 1 of the report) be adopted as a local development document, subject to any further minor changes (e.g. related to formatting or mapping) prior to adoption.

**27 ADOPTION OF THE URBAN DESIGN GUIDE
 SUPPLEMENTARY PLANNING DOCUMENT
 Report HPR2023/039**

The report recommended the adoption of the Urban Design Guide Supplementary Planning Document (SPD). The SPD provided guidance on urban design to inform development proposals coming forward in Bromley, with the aim of ensuring consistent high-quality design.

A draft SPD underwent public consultation from 28 October 2022 to 9 December 2022. A number of responses were received covering various issues. The final SPD includes a number of amendments in response to comments received.

The SPD also included minor amendments suggested by Development Control Committee at their meeting on 13 June 2023; and the Renewal, Recreation and Housing Policy Development and Scrutiny Committee at their meeting on 15 June 2023. Further to the minor amendments suggested by these two committees, the Executive agreed the following amendment to guidance note 19, parts A and B:

- a) ~~Following~~ **Noting** the Healthy Streets Approach...
- b) ~~Taking~~ **Noting** an inclusive holistic approach...

RESOLVED: That

- 1. The Urban Design Guide Supplementary Planning Document (shown at Appendix 1 of the report) be adopted as a local development document, subject to any further minor changes (e.g. related to formatting or mapping) prior to adoption.**
- 2. The following documents be withdrawn:**
 - **Supplementary Planning Guidance 1 - General Design Principles**
 - **Supplementary Planning Guidance 2 - Residential Design Guidance**
 - **Design guides for shop fronts in Beckenham, Chislehurst and Bromley North Village**

**28 WATERBODY MANAGEMENT: KELSEY PARK LAKE
Report ES20281**

The report recommended that the Council remove silt from Kelsey Lakes to ensure that it meets its responsibilities as a riparian owner and to protect biodiversity. The report set out the recommended procurement strategy for delivering these works and sought to draw down funding allocated in the capital programme to undertake surveys, prepare the tender for the works and to create a Project Manager post to manage the delivery of this project. The report also identified desilting projects being undertaken at Croydon Canal and Glassmill Pond.

The report had been scrutinised by the Environment and Community Services PDS Committee at its meeting on 29 June 2023 and the Committee had supported the recommendations.

RESOLVED: That

- 1. A variation to idverde's contract b agreed at a one-off value of £63k to undertake the survey work identified at paragraph 3.10 of the report and prepare the technical specifications for the tender of a works contractor.**
- 2. It be agreed to proceed to procurement for a works contractor to deliver the project in accordance with the procurement strategy set out in paragraphs 3.21 – 3.24 of the report.**
- 3. Authority be delegated to the Director of Environment & Public Protection, in consultation with the Portfolio Holder for Sustainability, Green Services and Open Spaces, to award the works contract to the successful tenderer up to the value remaining in the capital programme for the Kelsey Lakes.**
- 4. A 15-month fixed term Project Manager post be created to deliver the project using the capital programme funding for Kelsey Lakes at an estimated cost of £80k as set out in paragraph 3.27 of the report.**
- 5. A one-off variation to idverde's contract of £17.5k for 2023/24 be approved to fund the desilting project at Croydon Canal identified at paragraph 3.29 of the report.**

**29 DELIVERY OF ARBORICULTURAL SERVICES
Report ES20282**

The report was accompanied by a Part 2 report of the same title. For the reasons set out in that report, this report recommended that additional suppliers were procured to supplement the current arrangements for the delivery of the Council's arboricultural service. The report also recommended

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that additional funding was drawn down from the Healthy Bromley earmarked reserve to finish delivery of the Tremendous tree planting project.

The report had been scrutinised by the Environment and Community Services PDS Committee at its meeting on 29 June 2023 and the Committee had supported the recommendations.

RESOLVED: That

- 1. The procurement of additional suppliers to supplement the current arrangements for the delivery of arboricultural services be agreed, subject to the specific recommendations in Part 2.**
- 2. The drawdown of an additional £566k from the Healthy Bromley earmarked reserve be approved to enable the delivery of the Tremendous project.**

**30 LONDON CRICKET TRUST NON-TURF PITCHES FUND
Report HPR2023/032**

The London Borough of Bromley had been approached by London Cricket Trust offering a £40k grant to fund the installation of four NTPs (Non-Turf Pitches) in four parks across the borough. The report sought approval to accept the funding and proceed with the works.

The Executive agreed to add the following second resolution:

- 2. Agree to delegate decisions on final locations for the Non-Turf Pitches to the Director of Housing Planning Property and Regeneration in consultation with the Renewal Recreation and Housing Portfolio Holder, ward councillors and stakeholders.**

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 15 June 2023 and the Committee had supported the recommendations.

RESOLVED: That

- 1. The England and Wales Cricket Board/ London Cricket Trust Grant be accepted, and it be agreed to proceed to procurement for the installation of the Non-Turf Pitches, and the scheme be added to the capital programme.**
- 2. It be agreed to delegate decisions on final locations for the Non-Turf Pitches to the Director of Housing Planning Property and Regeneration in consultation with the Renewal Recreation and Housing Portfolio Holder, ward councillors and stakeholders.**

**31 VARIATIONS TO THE CONTRACT FOR PARKS
MANAGEMENT AND GROUNDS MAINTENANCE
Report ES20287**

The report set out a number of recommendations to make variations (modifications) to the contract for parks management and grounds maintenance services with idverde at a total combined value of £2.463m (£4.597m if the contract extension option is taken).

The report also sought delegated authority for the Director of Environment & Public Protection and the Portfolio Holder for Sustainability, Green Services and Open Spaces to agree variations (modifications) to the contract under a scheme of delegation set out in paragraph 3.21.

The report had been scrutinised by the Environment and Community Services PDS Committee on 29 June 2023 and the committee had supported the recommendations.

RESOLVED: That

- 1. The following variations (modifications) to the contract for parks management and grounds maintenance with idverde be approved:**
 - (i) Up to £880k for the delivery of projects funded by the Platinum Jubilee Parks Fund, as set out in paragraphs 3.6 – 3.8**
 - (ii) Up to £235k per annum for the remaining contract term (£940k cumulatively for the initial term or £2.82m if extended) for park infrastructure repairs, as set out in paragraphs 3.9 – 3.11**
 - (iii) £69k per annum for the remaining contract term (cumulatively £276k for the initial term of £828k if extended) for additional weekend cleansing, as set out in paragraphs 3.12 – 3.14.**
 - (iv) Up to £71k per annum for the remaining contract term (cumulatively £284k for the initial term or £852k if extended) for PROW infrastructure works, as set out in paragraphs 3.15 – 3.16**
 - (v) £83k for the initial term (£97k if extended) for the payment of the Countryside Stewardship Grants as set out in paragraphs 3.17 – 3.18.**
- 2. Authority be delegated to the Assistant Director Environment (Carbon Management & Greenspace) to undertake variations as required and through the appropriate contractual process for resolution 1 (i), (ii) and (iv) within the values authorised.**

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3. **The scheme of delegation for authorisations in relation to future variations (modifications) to the contract for parks management and grounds maintenance as set out in paragraph 3.21 of the report be approved.**

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

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

33 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**

34 EXEMPT MINUTES OF THE MEETING HELD ON 17 MAY 2023

The exempt (not for publication) minutes of the meeting held on 17 May 2023, were agreed and signed as a correct record.

35 PART 2: APPOINTMENT OF ASCOT SERVICES TO RUN THE FACILITIES MANAGEMENT AT CHURCHILL COURT

The Executive considered the report and agreed the recommendations.

36 PART 2: IT MANAGED SERVICE CONTRACT AWARD

The Executive considered the report and agreed the recommendations.

37 PART 2: DELIVERY OF ARBORICULTURAL SERVICES

The Executive agreed the recommendations outlined in the report.

The Meeting ended at 7.50 pm

Chairman

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Questions for Written Reply

1. From Mrs Sue Sulis to the Portfolio Holder for Public Protection and Enforcement

Which Bromley Council posts are represented on the Bromley Borough Resilience Forum, and on which dates did the Forum meet since 1/4/21?

Reply:

The following Council posts are represented on the Bromley Borough Resilience Forum. Emergency Planning & Corporate Resilience Forum.

Emergency Planning Manager (Chair & Secretariat); Head of Trading Standards and Commercial Regulation; Food Safety Manager, Health Safety & Licensing Manager; Director of Public Health; Health Protection Specialist Nurse.

The Forum meets 3 times a year. Since 1/4/21 the forum has met on the following dates: 05/07/21, 15/11/21, 07/03/22, 04/07/22, 14/11/22, and 06/03/23. It is scheduled to meet on 03/07/23 and 13/11/23

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