



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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DATE: 12 September 2023

To: Members of the  
**EXECUTIVE**

Councillor Colin Smith (Chairman)

Councillor Kate Lymer (Vice-Chairman)

Councillors Yvonne Bear, Nicholas Bennett J.P., Aisha Cuthbert, Christopher Marlow, Angela Page and Diane Smith

A meeting of the Executive will be held at Bromley Civic Centre on **WEDNESDAY 20 SEPTEMBER 2023 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/>

## A G E N D A

**1 APOLOGIES FOR ABSENCE**

**2 DECLARATIONS OF INTEREST**

**3 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 9 AUGUST 2023 (Pages 5 - 10)**

**4 QUESTIONS**

In accordance with the Council's Constitution, members of the public may submit one question each on matters relating to the work of the Committee. Questions must have been received in writing 10 working days before the date of the meeting - by 5pm on **Wednesday 6 September 2023**.

Questions seeking clarification of the details of a report on the agenda may be accepted within two working days of the normal publication date of the agenda – by **5pm on Thursday 14 September 2023**.

**5 BUDGET MONITORING 2023/24 (Pages 11 - 54)**

**6 CAPITAL PROGRAMME MONITORING 2023/24 (Pages 55 - 70)**

**7 OFFICE FOR LOCAL GOVERNMENT AND THE LOCAL AUTHORITY DATA EXPLORER (Pages 71 - 118)**

- 8 **AWARD OF CONTRACT FOR WORK AT NEW CIVIC OFFICES** (*to follow*)
- 9 **BIGGIN HILL AIRPORT NOISE ACTION PLAN UPDATE** (Pages 119 - 122)
- 10 **HOUSING DELIVERY UPDATE** (Pages 123 - 148)
- 11 **HOUSING ALLOCATION SCHEME AND CHOICE BASED LETTINGS** (Pages 149 - 204)
- 12 **HOUSING MANAGEMENT CONTRACT (APPROVAL TO PROCEED TO TENDER)** (Pages 205 - 214)
- 13 **HOMES FOR UKRAINE QUARTERLY UPDATE REPORT** (Pages 215 - 224)
- 14 **LIBRARY WORKS PROGRESS AND CROFTON ROMAN VILLA** (Pages 225 - 236)
- 15 **FEASIBILITY FUNDING FOR REGENERATION OF STAR LANE TRAVELLER SITE** (Pages 237 - 246)
- 16 **COMMUNITY HOUSE, SOUTH STREET, BROMLEY BR1 1RH & BECKENHAM PUBLIC HALLS, BROMLEY ROAD, BECKENHAM BR3 5JE - FREEHOLD DISPOSALS** (Pages 247 - 252)
- 17 **SUBSTANCE MISUSE SERVICES CONTRACT AWARD** (Pages 253 - 260)
- 18 **CARERS PLAN 2023-2025** (Pages 261 - 280)
- 19 **ADULT SOCIAL CARE STRATEGY 2023-2028** (Pages 281 - 294)
- 20 **ADDITIONAL LEARNING DISABILITIES FUNDING (SECTION 256 FUNDING ALLOCATION)** (Pages 295 - 304)
- 21 **CONSIDERATION OF ANY OTHER ISSUES REFERRED FROM THE EXECUTIVE, RESOURCES AND CONTRACTS POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**
- 22 **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**

- |           |  |   |
|-----------|--|---|
| <b>23</b> | <b>EXEMPT MINUTES OF THE MEETING HELD ON 9 AUGUST 2023</b> (Pages 305 - 306)   | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
| <b>24</b> | <b>PART 2: AWARD OF CONTRACT FOR WORK AT NEW CIVIC OFFICES</b>   | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
| <b>25</b> | <b>PART 2: COMMUNITY HOUSE, SOUTH STREET, BROMLEY BR1 1RH &amp; BECKENHAM PUBLIC HALLS, BROMLEY ROAD, BECKENHAM BR3 5JE - FREEHOLD DISPOSALS</b> (Pages 307 - 320) | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
| <b>26</b> | <b>PART 2 SUBSTANCE MISUSE SERVICES CONTRACT AWARD</b> (Pages 321 - 332)   | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
| <b>27</b> | <b>PART 2: CAPITAL PROGRAMME APPENDIX E</b> (Pages 333 - 334)  | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
| <b>28</b> | <b>PART 2: HOUSING DELIVERY UPDATE</b> (Pages 335 - 340)   | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |

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## EXECUTIVE

Minutes of the meeting held on 9 August 2023 starting at 7.00 pm

### Present:

Councillor Colin Smith (Chairman)  
Councillors Yvonne Bear, Christopher Marlow and  
Diane Smith

### Also Present:

Councillor Simon Jeal

### 38 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Nicholas Bennett, Aisha Cuthbert, Kate Lymer and Angela Page. Councillors Bennett, Lymer and Page joined the meeting online.

### 39 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 40 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 5 JULY 2023

**RESOLVED** that the minutes of the meeting held on 5 July 2023 (excluding exempt information), be confirmed as a correct record.

### 41 QUESTIONS

Ten questions for written response had been received and are attached at Appendix A.

### 42 LAND AT GODDARD ROAD, BECKENHAM BR3 4BN & THE COTTAGE, CHURCH HOUSE GARDENS BROMLEY BR2 0EJ & PARKFIELD REC LODGE, BROMLEY BR2 8DD - FREEHOLD DISPOSALS

The report had two focusses: the first being to seek approval to accept an offer received and recommended; and the second to seek approval to list two properties via auction at the reserve prices professionally advised and recommended.

The three properties to which the report related, listed below, were freehold interests held by the Council that had been identified as surplus to requirement and included in the disposal programme to generate capital

receipts to be ringfenced for works identified under the Council's Operational Property Review.

The properties were: Land at Goddard Road, Beckenham BR3 4BN; The Cottage, Church House Gardens, Bromley BR2 0EJ; and Parkfield Recreational Ground Lodge, Bromley BR2 8DD.

Land at Goddard Road, Beckenham BR3 4BN

A suitable offer for recommendation had now been received for the freehold interest of the property known as Land at Goddard Road, Beckenham BR3 4BN. The report sought approval to accept the recommended offer and to proceed with the transaction.

The Cottage, Church House Gardens, Bromley BR2 0EJ & Parkfield Recreational Ground Lodge, Bromley BR2 8DD

The freehold interest for both properties known as The Cottage, Church House Gardens and Parkfield Recreational Ground Lodge had now undergone prolonged marketing campaigns on a private treaty/ informal tender basis. The report sought approval to switch the method of sale and to dispose of the properties via auction utilising a reputable auctioneer and at the reserve prices recommended.

**RESOLVED: That**

- 1. Acceptance of the offer received for the Council's freehold interest known as Land at Goddard Road, Beckenham BR3 4BN be authorised and to proceed with the transaction.**
- 2. It be noted that details of the commercial terms of the offer being recommended for freehold disposal are commercially sensitive and therefore included within Part 2 of the report.**
- 3. Placing both the freehold interests known as, The Cottage, Church House Gardens, Bromley BR2 0EJ and Parkfield Rec Lodge, Bromley BR2 8DD to market via auction with a reputable auctioneer at the reserve prices professionally advised be authorised.**
- 4. The contents of this report be noted along with the specific recommendations in the Part 2 Report of the same title.**

**43 PROCUREMENT STRATEGY FOR LEISURE CENTRE MAJOR WORKS PROGRAMME**

Report HPR2023/044

In advance of the primary decision in October to proceed with major works at the Walnuts and West Wickham leisure centres, and subject to that decision, Executive were asked to approve the in-principle procurement strategy for the

procurement of a suitable contractor for the delivery of the project, including project management and works. This would allow preliminary procurement arrangements to commence which would support a reduced timetable for the overall delivery of the project and the potential for a formal Contract Award decision to be sought within the planned October 2023 report.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 7 August 2023 and the Committee had supported the recommendations.

**RESOLVED: That**

- 1. The intent to seek formal decision by October 2023 on proceeding with the Walnuts and West Wickham Leisure Centre project, including scope of works and agreed budget, be noted.**
- 2. The in-principle procurement strategy set out in Option 1 (paragraph 3.10 of the report) for the delivery of the Walnuts and West Wickham Leisure Centre project by utilising a compliant framework to appoint a suitable delivery partner to deliver the project, including required works be approved.**
- 3. It be noted that any formal award of contract arising from the in-principle procurement strategy will still be subject to Executive decision and will not proceed except alongside, or subsequent to, the primary decision to proceed with the project as per (1) above.**

**44 CHANGING PLACES TOILETS ROUND 2 FUNDING**

Report HPR2023/045

The Council had been successful in the second round of DLUHC Changing Places funding and awarded a further £185k to be spent on installing two Changing Places facilities in the borough.

Officers were seeking formal approval to accept and spend the grant monies in line with the parameters of the grant funding.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 7 August 2023 and the Committee had supported the recommendations.

**RESOLVED: That**

- 1. The allocation and spend of the Changing Places Fund grant monies which total £185k be approved, in line with the interventions set out in the funding application and within this report, to enable the delivery of two further Changing Places facilities across the borough before 31 March 2024.**

- 2. The distribution of funds to MyTime Active and to the Metropolitan Police Hayes Sports Club be approved to deliver Changing Places facilities at Biggin Hill Leisure Centre and The Warren subject to signed management and maintenance agreements.**
- 3. Authority be delegated 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.**
- 4. A funding application for any additional funding rounds announced by DLUHC where suitable locations can be found and secured with no ongoing revenue costs be approved.**

**45 OPR - AWARD OF CONSTRUCTION CONTRACT FOR SAXON CENTRE (AGE CONCERN) (PART 1)**

Report HPR2023/046

Executive were asked to approve the award of a construction contract to implement essential repair and maintenance works as approved within the Operational Property Review report dated 30<sup>th</sup> November 2022 on 12<sup>th</sup> December 2022 at a meeting of full Council.

Executive were also asked to approve the accelerated delivery of these works in advance of the OPR's main programme of works to enable continued operation of Age Concern's facility.

**RESOLVED: That**

- 1. The award of a construction contract to the building contractor referred to in Part 2 of the report to carry out essential repair and maintenance works to the Ground Floor and external areas of the premises at the Saxon Centre, Orpington comprising heating, electrical works, fire alarm, window replacement, health & safety, building regulations compliance and other general building works be approved.**
- 2. The expenditure to be funded from the Adult & Day Centres and Care Homes budget within the OPR be approved.**
- 3. The allocation of a contingency budget and other associated delivery costs which if utilised will be funded from the available budget within the Adult & Day Centres and Care Homes be approved.**

4. **The execution of this contract which will be in the JCT Intermediate Form of Contract (IFC) with Contractors Design Portions 2016 as amended form with the benefit of a performance bond and collateral warranties be approved.**
5. **The commencement of these works which are scheduled to take 6 weeks to complete following a 1-month mobilisation period be approved. Subject to execution of the construction contract and possession of the ground floor from Age Concern the works are anticipated to commence in September 2023 for completion by November 2023.**

**46 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**

**47 EXEMPT MINUTES OF THE MEETING HELD ON 5 JULY 2023**

The exempt (not for publication) minutes of the meeting held on 5 July 2023, were confirmed as a correct record.

**48 PART 2: LAND AT GODDARD ROAD, BECKENHAM BR3 4BN & THE COTTAGE, CHURCH HOUSE GARDENS BROMLEY BR2 0EJ & PARKFIELD REC LODGE, BROMLEY BR2 8DD - FREEHOLD DISPOSALS**

The Executive considered the report and agreed the recommendations.

**49 PART 2: OPR - AWARD OF CONSTRUCTION CONTRACT FOR SAXON CENTRE (AGE CONCERN) (PART 2)**

The Executive considered the report and agreed the recommendations.

The Meeting ended at 7.30 pm

Chairman

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Report No.  
FSD23059

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**Date:** Wednesday 20 September 2023

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

**Title:** BUDGET MONITORING 2023/24

**Contact Officer:** David Bradshaw, Head of Finance  
Tel: 020 8313 4807 E-mail: david.bradshaw@bromley.gov.uk

**Chief Officer:** Director of Finance

**Ward:** Borough Wide

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1. Reason for report

- 1.1 This report provides the first budget monitoring position for 2023/24 based on expenditure and activity levels up to the end of June 2023. The report also highlights any significant variations which will impact on future years as well as any early warnings that could impact on the final year end position.

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2. **RECOMMENDATION(S)**

2.1 **Executive are requested to:**

- (a) consider the latest financial position;
- (b) note that a projected net overspend on services of £6,137k is forecast based on information as at June 2023.
- (c) consider the comments from Chief Officers detailed in Appendix 2;
- (d) note the carry forwards being requested for drawdown as set out in para 3.3;
- (e) note a projected reduction to the General Fund balance of £445k as detailed in section 3.4;
- (f) note the full year cost pressures of £9.750m as detailed in section 3.5;
- (g) agree to the release of funding from the 2023/24 central contingency as detailed in paragraphs 3.2.2 to 3.2.15;

- (h) note the use of the Homes for Ukraine grant in para. 3.9;**
- (i) identify any issues that should be referred to individual Portfolio Holders for further action;**

**2.2 Council are requested to:**

- (a) agree a sum of £1.8m be drawn down from the 2023/24 contingency as detailed in paragraph 3.2.2.**
- (b) agree a sum of £4.25m be transferred to the capital programme as detailed in paragraph 3.2.15.**



### Impact on Vulnerable Adults and Children

1. Summary of Impact: None arising directly from this report
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### Corporate Policy

1. Policy Status: Existing Policy
  2. BBB Priority: Excellent Council
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### Financial

1. Cost of proposal: Not Applicable
  2. Ongoing costs: Recurring Cost
  3. Budget head/performance centre: Council wide
  4. Total current budget for this head: £256.1m
  5. Source of funding: See Appendix 1 for overall funding of Council's budget
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### Personnel

1. Number of staff (current and additional): 2,249 fte posts (per 2023/24 Budget) which includes 481 for budgets delegated to schools
  2. If from existing staff resources, number of staff hours: N/A
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### 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 Local Government Act 2000, the Local Government Act 2002 and the Accounts and Audit Regulations 2015.
  2. Call-in: Applicable
- 

### Procurement

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

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The 2023/24 budget reflects the financial impact of the Council's strategies and service plans which impact on all of the Council's customers (including council tax payers) and users of our services.
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### Ward Councillor Views

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

### 3. COMMENTARY

#### 3.1 Summary of Projected Variations

3.1.1 The Resources Portfolio Plan included a target that each service department will spend within its own budget. Current projections show an overall net overspend of £6,137k within portfolio budgets and a £6,336k credit variation on investment income, central items and prior year adjustments.

3.1.2 A summary of the 2023/24 budget and the projected outturn is shown in the table below:

	2023/24 Original Budget £'000	2023/24 Latest Budget £'000	2023/24 Projected Outturn £'000	2023/24 Variation £'000
<b>Portfolio</b>				
Adult Care & Health	84,178	85,418	85,868	450
Children, Education & Families (inc. Schools Budget)	55,253	58,087	60,229	2,142
Environment & Community	38,033	38,278	38,901	623
Public Protection & Enforcement	3,228	3,417	3,417	0
Renewal, Recreation & Housing	15,611	15,922	18,401	2,479
Resources, Commissioning & Contracts Management	48,840	49,125	49,568	443
<b>Total Controllable Budgets</b>	<b>245,143</b>	<b>250,247</b>	<b>256,384</b>	<b>6,137</b>
Capital Charges and Insurance	16,604	16,604	16,604	0
Non General Fund Recharges	Cr 938	Cr 938	Cr 938	0
<b>Total Portfolio Budgets</b>	<b>260,809</b>	<b>265,913</b>	<b>272,050</b>	<b>6,137</b>
Income from Investment Properties	Cr 8,777	Cr 6,277	Cr 6,277	0
Interest on General Fund Balances	Cr 9,841	Cr 9,841	Cr 10,841	Cr 1,000
<b>Total Investment Income</b>	<b>Cr 18,618</b>	<b>Cr 16,118</b>	<b>Cr 17,118</b>	<b>Cr 1,000</b>
Contingency Provision	26,631	15,871	12,708	Cr 3,163
Other Central Items	Cr 13,400	Cr 9,600	Cr 11,600	Cr 2,000
General Government Grants & Retained Business Rates	Cr 51,735	Cr 51,735	Cr 51,735	0
Collection Fund Surplus	Cr 14,511	Cr 14,511	Cr 14,511	0
<b>Total Central Items</b>	<b>Cr 53,015</b>	<b>Cr 59,975</b>	<b>Cr 65,138</b>	<b>Cr 5,163</b>
<b>Total Variation on Services and Central Items</b>	<b>189,176</b>	<b>189,820</b>	<b>189,794</b>	<b>Cr 26</b>
Prior Year Adjustments	0	0	Cr 173	Cr 173
<b>Total Variation</b>	<b>189,176</b>	<b>189,820</b>	<b>189,621</b>	<b>Cr 199</b>

3.1.3 A detailed breakdown of the latest approved budgets and projected outturn for each Portfolio, together with an analysis of variations, is shown in Appendix 3.

3.1.4 Chief Officer comments are included in Appendix 2.

#### 3.2 Central Contingency Sum

3.2.1 Details of the allocations from and variations in the 2023/24 Central Contingency are included in Appendix 4.

3.2.2 Dual running of Civic Centres - £1,800k Dr

There is a report elsewhere on the agenda which refers to the dual running costs arising from the new civic centre acquisition and the cost of the scheme. The report also refers to the

longer term savings from the acquisition of the new site and the disposal of the existing site. There are however additional costs in the current year that needs to be funded that reflects the need for dual running costs. The report requests a sum of £1.8m. This assumes that it is funded from the risk reserve contained within the central contingency This has been reflected in the projections

### 3.2.3 Star Lane - £150k Dr

In March 2023, the Council purchased a parcel of land adjacent to the Star Lane Traveller Site, known as 18 the Birches.

The site has been assessed and to manage risk to public safety, it is recommended that the buildings and structures on the site are demolished, services are isolated and removed, abandoned vehicles and burnt-out caravans are removed, a manhole cover is replaced, and the site is cleared of general debris. It is also recommended that steps are taken to prevent public access into the site.

The estimated cost for these works, including contingency, is £150k.

### 3.2.4 Legal Support - £170k Dr

Part of the review of Legal services reported in November 2020, it was agreed to include a sum of £170k to be held in Central Contingency for locum costs for additional childcare and adults social care legal support. Demand for these services has continued this financial year and the full provision has now been drawn down.

### 3.2.5 Revenue impact of capital financing programme - £2,500k Dr

The 2023/24 budget included a provision of £6.6m for the financial impact of the operational property disposals and any ongoing reduction in income received arising from disposals as well as any financing costs. The final outcome for this year will be dependent on the impact of any slippage on the capital programme as well as any changes in the timing of any disposals. At this stage a sum of £2.5m has been released from the central contingency leaving a balance at this stage of £4.1m. The financial impact will be monitored closely and any changes will be reflected in any future monitoring reports.

### 3.2.6 ASC Discharge Fund - £1,084k Cr

The Department for Levelling Up, Housing and Communities is providing this funding to support local authorities to build additional adult social care and community-based reablement capacity to reduce hospital discharge delays through delivering sustainable improvements to services for individuals.

### 3.2.7 Accommodation for Ex Offenders grant - £74k Dr & Cr

The aim of the Accommodation for Ex-Offenders programme (AFEO) is to increase access to new private rented sector tenancies for ex-offenders who are, or are at risk of becoming, homeless. The project is intended to:

- a) Reduce the number of homeless prison leavers sleeping rough on release.
- b) For prison leavers owed a homelessness duty, increase the proportion that secure a PRS tenancy as their outcome, with every individual being in settled accommodation with a minimum expected tenancy length of 12 months.
- c) Increase in the number of offenders that are in settled accommodation 3-months post release.

### 3.2.8 Rough sleepers initiative grant - £214k Dr & Cr

The Council receives grant funding from the Department of Levelling Up, Homes and Communities (DLUHC) to enable it to undertake work with to tackle rough sleeping. £214k has been received to date out of a total 23/24 funding award of £428k and this funding is proposed to be drawn down to the Housing service revenue budget to support work in this area.

### 3.2.9 Homelessness Prevention Grant – additional allocation - £363k Dr & Cr

The 2023/24 budget already includes a sum of £3.4m for the Homelessness Prevention Grant which is ringfenced for the following principles:

- a) To fully enforce the Homelessness Reduction Act and contribute to ending rough sleeping by increasing activity to prevent single homelessness.
- b) Reduce family temporary accommodation numbers through maximising family homelessness prevention and reduce the use of unsuitable B&Bs for families.
- c) Ensure financial viability of services by contributing to the costs of statutory duties, including implementing the Homelessness Reduction Act and supporting with the costs of temporary accommodation.

The final allocation of £3.75m is an increase of £363k, and it is requested that this is drawn down to the housing budget, with £69k allocated for Domestic Abuse work in line with the grant allocation, and the remainder used to offset increased temporary accommodation pressures.

### 3.2.10 Homelessness Prevention Grant HFU top up - £1,117k Dr & Cr

In June 2023, the Government announced a Homes for Ukraine funding top up to the Council's Homelessness Prevention Grant, amounting to £1,117k for LB Bromley. As a top-up to the existing Homelessness Prevention Grant, this grant is ringfenced for homelessness to target those most in need and to ensure local authorities are resourced to take action to prevent homelessness and continue to implement the Homelessness Reduction Act 2017. It is requested that this funding is drawn down to mitigate pressures on the Temporary Accommodation budget.

### 3.2.11 S31 Leaving Care uplift grant - £68k Dr & Cr

This is a two year allocation of £68k per year. Statutory guidance requires local authorities to provide a leaving care allowance, to enable care leavers to purchase essentials (such as furniture, white goods and carpets/curtains) when they move into their first home. DfE guidance currently recommends that local authorities should pay a minimum of £2,000.

The independent review into children's social care recommended that the minimum amount should be increased. We are increasing the minimum recommended amount to £3,000 from April 2023. The grant was given to cover Bromley's additional costs.

### 3.2.12 GLA free school meal payment - £6,036k Dr & Cr

The Council has received a one-year (2023/24) grant of £6,036k from the Greater London Assembly for the provision of free school meals (FSM) to Key Stage 3 pupils not eligible under benefit related criteria. The grant criteria indicates an assumption of a 90% take up of meals, with the funding set at £2.65 per meal.

Officers have worked in partnership with Bromley schools, which hold the responsibility for providing free school meals to eligible pupils. Some school leaders have indicated that the level of grant will not meet all costs of extending FSM eligibility at school level, which will create a financial pressure for the school/academy. Schools were provided with the ability to opt out of the scheme, in the event that the associated costs or physical capacity to deliver additional meals was not deemed viable.

The Council will passport funding to Bromley schools in accordance with the grant criteria for the one-year extension of free school meals.

### 3.2.13 Market sustainability and improvement fund grant - £1,810k Dr & Cr

The Department for Health & Social Care (DHSC) announced a further tranche of MSIF funding in July 2023. It is intended to enable local authorities to make tangible improvements to adult social care, in particular to increase social care capacity through increasing social care workforce capacity and retention, reducing social care waiting times and increasing fee rates paid to social care providers.

### 3.2.14 ICB funding for hospital discharges - £1,511k Dr & Cr

This is one-off funding to 'secure the continued provision of social care services in line with presenting need and discharge standards.' It is intended that this is used to fund the cost of hospital discharge packages following the cessation of central funding from NHS England during the Covid-19 pandemic.

### 3.2.15 Transfer of funding to the capital programme - £4.25m

There is a report elsewhere on the agenda which refers to the transfer of funding to the capital programme for Churchill Court. The report requests a sum of £4.25m which comprises of £2m from Building Infrastructure Fund in the central contingency and £2.25m from earmarked reserves. This has been reflected in the projections.

## 3.3 Carry Forwards from 2022/23 to 2023/24

3.3.1 After allowing for government grant funding, a net sum of £644k has been carried forward into 2023/24 from underspends in 2022/23. This was approved by the Executive on the 5<sup>th</sup> July 2023 subject to the funding being allocated to the Central Contingency to be drawn down on the approval of the relevant Portfolio Holder.

3.3.2 The carry forwards being requested are summarised in the table below and details will be reported to the relevant PDS Committee as described above. Details of the brought forward balances are also contained in Appx 4. The figures contained in this report assume that these requests will be agreed:

	£'000
Renewal, Recreation and Housing	2,901
Adult Care and Health	6,370
Environment and Community	245
Public Protection	139
Children, Education & Families	1,972
Resources, Commissioning & Contracts	1,052
	<b>12,679</b>
Government Grant Income	Cr 12,035
<b>Total Net Carry Forwards Requested for Drawdown this Cycle</b>	<b>644</b>

### 3.4 General Fund Balances

3.4.1 The level of general reserves is currently projected to reduce by £445k to £19,705k at 31<sup>st</sup> March 2024 as detailed below:

	2023/24 Projected Outturn £'000
<b>General Fund Balance as at 1st April 2023</b>	<b>Cr 20,000</b>
Net Variations on Services & Central Items (para 3.1)	Cr 199
	Cr 20,199
Adjustment to Balances:	
Carry Forwards (funded from underspends in 2022/23)	644
<b>General Fund Balance as at 31st March 2024</b>	<b>Cr 19,555</b>

### 3.5 Impact on Future Years

3.5.1 The report identifies expenditure pressures which could have an impact on future years. The main areas to be considered at this stage are summarised in the following table:

	2023/24 Budget £'000	2024/25 Impact £'000
<b>Adult Care &amp; Health Portfolio</b>		
Assessment & Care Management - Care Placements	31,308	3,095
Learning Disabilities - Care Placements & Care Management	42,273	456
Mental Health - Care Placements	6,598	800
		<u>4,351</u>
<b>Renewal, Recreation &amp; Housing</b>		
Supporting people	1,070 Cr	148
Housing Needs - Temporary accommodation	6,418	3,347
		<u>3,199</u>
<b>Children, Education &amp; Families Portfolio</b>		
Children's Social Care	49,440	2,200
		<u>2,200</u>
<b>TOTAL</b>		<b><u>9,750</u></b>

3.5.2 Given the significant financial savings that the Council will need to make over the next four years, it is important that all future cost pressures are contained and that savings are identified early to mitigate these pressures.

3.5.3 Further details are included in Appendix 5.

## **Investment Income**

### **3.6 Income from Investment Properties**

3.6.1 There is a £2.5m projected shortfall on investment income for the 2023/24 financial year due largely to the sale of the Glades site which took place in April. This property contributed £1.9m of income of per annum which will no longer be received, the rest of the gap is due to the pending disposal of the parades which brings in around £1m per annum of income for LBB, this is expected to be fully disposed of by September hence a part year impact. This has been addressed by a budget adjustment from contingency which brings the overall position back to balance.

### **3.7 Interest on Balances**

3.7.1 The budget for Interest on Balances for 2023/24 has been set at £9,841k, which was an increase of £7m over the 2022/23 budget. This reflects the significant increase in anticipated interest earnings as a result of the significant increases in the Bank of England base rate, partly offset by an expected reduction in balances available for investment as a result of the utilisation of capital receipts and grants/contributions as well as earmarked revenue reserves.

3.7.2 At the time the draft 2023/24 budget was prepared, the Council's treasury management advisors, Link Group, were projecting that the base rate would peak at 4.5% in June before starting to fall in 2024. At the time of writing, base rate stands at 5.25% with Link now expecting a further increase to 5.5% in September, and remaining at that rate for the remainder of the financial year. New core fixed-interest investments taken out during the first quarter of 2023/24 were at an average rate of 5.16%.

3.7.3 The treasury management strategy has previously been revised to enable alternative investments of £100m in pooled investments which have historically generated additional income of approximately £2m p.a. compared with fixed term lending to banks. Officers continue to look for alternative investment opportunities, both within the current strategy and outside, for consideration as part of the ongoing review of the strategy.

3.7.4 Additionally, investment balances have not yet reduced as projected, increasing from £344m at the start of the financial year to £381m at the end of the first quarter. As a result, the current projection indicates that the interest on balances outturn will exceed the budget by £1m.

### **3.8 The Schools Budget**

3.8.1 Expenditure on schools is funded through the Dedicated Schools Grant (DSG) provided for by the Department for Education (DfE). DSG is ring-fenced and can only be applied to meet expenditure properly included in the Schools Budget. Any overspend or underspend must be carried forward to the following year's Schools Budget.

3.8.2 There is a current projected in year overspend in Dedicated Schools Grant (DSG) of £4,209k. This will be added to the £12,706k deficit that was carried forward from 2022/23. There was also an adjustment which resulted in an increase in the 2022/23 Early years DSG of £600k which effectively reduces the negative reserve position. This gives an estimated DSG deficit at the end of the year of £16,315k. It should be noted that the DSG can fluctuate due to pupils

requiring additional services or being placed in expensive placements. Officers are working on a deficit recovery plan ahead of this being required by the DfE.

### **3.9 Homes for Ukraine - £2,000k**

3.9.1 The Department for Levelling Up, Housing and Communities (DLUHC) launched the Homes for Ukraine scheme on the 14th March 2022. The scheme allows people living in the UK to sponsor a Ukrainian national or family to come and live in the UK providing there is suitable accommodation available. The grant also covers any additional costs that the Authority may incur. A total of £8,003k was received during 2022/23 of which £2,588k was spent in the 2022/23 financial year. Therefore £5,415k was requested to be carried forward and was agreed by the Executive on the 5<sup>th</sup> July 2023. £500k has been allocated to staffing costs in Housing and Childrens Social Care. The Homes for Ukraine scheme has had an impact across Council services and on that basis it is proposed to set aside £2,000k in 2023/24 for costs across all services in the Council, mainly in the area of Housing.

### **3.10 Investment Fund and Growth Fund**

3.10.1 Full details of the current position on the Investment Fund and the Growth Fund are included in the Capital Programme Monitoring Q1 2023/24 report elsewhere on the agenda. The uncommitted balances stand at £6.8m for the Investment Fund and £15.95m for the Growth Fund.

### **3.11 Financial Context**

3.11.1 Review of Capital Programme and Funding

3.11.2 Since the 2022/23 Budget was produced the Council undertook, completed and reported to Executive:

- The Operational Property Review (Executive, 30th November 2022) ;
- Property Disposals (Executive, 30th November 2022);
- Capital Strategy 2023/24 to 2026/27 and Q3 Capital Programme Monitoring (Executive, 18th January 2023).

3.11.3 To address the existing capital funding shortfall to meet the cost of the approved capital programme, members agreed to refinance housing costs through borrowing, utilisation of capital receipts from the property disposals programme with the unfunded balance (subject to a limit of £10m) being met from earmarked reserves. A report elsewhere on this agenda provides an update on financing the capital programme.

3.11.4 The 2023/24 Council Tax report to Executive in February 2023 provided a projected revenue budget deficit over the next three years (£1.7m in 2024/25, £10.1m in 2025/26 and £29.6m in 2026/27). Since that report was produced, inflation has remained high, particularly for 2023/24 and latest estimates for 2024/25, and there are further cost pressures that have been identified by Chief Officers which provides a deteriorating financial position for future years. This report (see 3.8.2) also refers to the DSG deficit which is expected to continue in future years and ultimately such deficits have to be funded by a drawdown of reserves, whilst the statutory override remains in place.

3.11.5 An update on the Council's financial forecast, including the impact on the Council's reserves, will be reported to a future meeting of Executive prior to finalising the 2024/25 Budget This will include further consideration of the Council's transformation programme and any further action



to address cost pressures. It remains essential to reduce overspends and any cost pressures, where possible, given the potential impact on meeting the ‘budget gap’ for future years.

3.11.6 Details of the need to retain adequate level of reserves was reported in Appendix 4 of the 2023/24 Council Tax report to Executive in February 2023.

3.11.7 Further updates will be provided as part of the 2023/24 quarterly budget monitoring reports to Executive.

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

4.1 The 2023/24 budget reflects the financial impact of the Council’s strategies and service plans which impact on all of the Council’s customers and users of our services.

#### **5. POLICY IMPLICATIONS**

5.1 The “Making Bromley even Better” objective of being an Excellent Council refers to the Council’s intention to ensure good strategic financial management and robust discipline to deliver within our budgets.

5.2 The “2023/24 Council Tax” report highlighted the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised in 2023/24 to minimise the risk of compounding financial pressures in future years.

#### **6. FINANCIAL IMPLICATIONS**

6.1 These are contained within the body of the report with additional information provided in the appendices.

<b>Non-Applicable Sections:</b>	Personnel, Legal, Procurement
Background Documents: (Access via Contact Officer)	Provisional Final Accounts 2022/23 – Executive 5 <sup>th</sup> July 2023; 2023/24 Council Tax – Executive 8th February 2023; Draft 2023/24 Budget and Update on Council’s Financial Strategy 2023/24 to 2026/27 – Executive 18 <sup>th</sup> January 2023; Treasury Management Annual Investment Strategy 2023/24 and Quarter 3 performance– Council 27 <sup>th</sup> February 2023; Financial Management Budget Monitoring files across all portfolios.

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## GENERAL FUND - PROVISIONAL OUTTURN FOR 2023/24

Portfolio	2023/24	Budget	2023/24		2023/24	Variation	Variation previously reported
	Original Budget	Variations allocated in year #	Approved Budget	Latest Budget	Projected Outturn		
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Adult Care & Health	84,178	1,240		85,418	85,868	450	0
Children, Education & Families (incl. Schools' Budget)	55,253	2,834		58,087	60,229	2,142	0
Environment & Community	38,033	245		38,278	38,901	623	0
Public Protection & Enforcement	3,228	189		3,417	3,417	0	0
Renewal, Recreation & Housing	15,611	311		15,922	18,401	2,479	0
Resources, Commissioning & Contracts Management	48,840	285		49,125	49,568	443	0
<b>Total Controllable Budgets</b>	<b>245,143</b>	<b>5,104</b>		<b>250,247</b>	<b>256,384</b>	<b>6,137</b>	<b>0</b>
Capital, Insurance & Pensions Costs (see note 2)	16,604	0		16,604	16,604	0	0
Non General Fund Recharges	Cr 938	0	Cr 938	Cr 938	Cr 938	0	0
<b>Total Portfolios (see note 1)</b>	<b>260,809</b>	<b>5,104</b>		<b>265,913</b>	<b>272,050</b>	<b>6,137</b>	<b>0</b>
<b>Central Items:</b>							
Income from Investment Properties	Cr 8,777	2,500	Cr 6,277	Cr 6,277	Cr 6,277	0	0
Interest on General Fund Balances	Cr 9,841	0	Cr 9,841	Cr 10,841	Cr 10,841	Cr 1,000	0
<b>Total Investment Income</b>	<b>Cr 18,618</b>	<b>2,500</b>	<b>Cr 16,118</b>	<b>Cr 17,118</b>	<b>Cr 17,118</b>	<b>Cr 1,000</b>	<b>0</b>
<b>Contingency Provision (see Appendix 4)</b>	<b>26,631</b>	<b>Cr 10,760</b>	<b>15,871</b>	<b>12,708</b>	<b>Cr 3,163</b>	<b>0</b>	<b>0</b>
<b>Other central items</b>							
Reversal of net Capital Charges (see note 2)	Cr 9,878	0	Cr 9,878	Cr 9,878	Cr 9,878	0	0
Additional Capital Grants Funding Rev Exp under statute	Cr 4,832	0	Cr 4,832	Cr 4,832	Cr 4,832	0	0
New Homes Bonus Support for Revenue	9	0	9	9	9	0	0
Homes for Ukraine allocation to be determined	0	0	0	Cr 2,000	Cr 2,000	Cr 2,000	0
Dual running of Civic Centres	0	1,800	1,800	1,800	1,800	0	0
Transfer of funding to capital programme	0	2,000	2,000	2,000	2,000	0	0
Levies	1,301	0	1,301	1,301	1,301	0	0
<b>Total other central items</b>	<b>Cr 13,400</b>	<b>3,800</b>	<b>Cr 9,600</b>	<b>Cr 11,600</b>	<b>Cr 11,600</b>	<b>Cr 2,000</b>	<b>0</b>
<b>Prior Year Adjustments</b>							
2022-23 Energy cost pressure in Housing	0	0	0	Cr 173	Cr 173	Cr 173	0
<b>Total Prior Year Adjustments</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>Cr 173</b>	<b>Cr 173</b>	<b>Cr 173</b>	<b>0</b>
<b>Total all central items</b>	<b>Cr 5,387</b>	<b>Cr 4,460</b>	<b>Cr 9,847</b>	<b>Cr 16,183</b>	<b>Cr 16,183</b>	<b>Cr 6,336</b>	<b>0</b>
<b>Bromley's Requirement before balances</b>	<b>255,422</b>	<b>644</b>	<b>256,066</b>	<b>255,867</b>	<b>Cr 199</b>	<b>0</b>	<b>0</b>
Carry Forwards from 2022/23 (see note 3)	0	Cr 644	Cr 644	0	644	0	0
<b>Adjustment to Balances</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>Cr 445</b>	<b>Cr 445</b>	<b>0</b>	<b>0</b>
<b>Total all central items</b>	<b>255,422</b>	<b>0</b>	<b>255,422</b>	<b>255,422</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Business Rates Retention Scheme (Retained Income, Top-up and S31 Grants)</b>							
Collection Fund losses	Cr 47,000	0	Cr 47,000	Cr 47,000	Cr 47,000	0	0
New Homes Bonus	Cr 9	0	Cr 9	Cr 9	Cr 9	0	0
New Homes Bonus Topslice	0	0	0	0	0	0	0
One off 2023/24 Services Grant	Cr 1,556	0	Cr 1,556	Cr 1,556	Cr 1,556	0	0
Council Tax Support - Collection Fund surplus	Cr 2,300	0	Cr 2,300	Cr 2,300	Cr 2,300	0	0
Funding COVID cost pressures from Earmarked Reserve	Cr 870	0	Cr 870	Cr 870	Cr 870	0	0
Collection Fund Surplus	Cr 14,511	0	Cr 14,511	Cr 14,511	Cr 14,511	0	0
<b>Bromley's Requirement</b>	<b>189,176</b>	<b>0</b>	<b>189,176</b>	<b>189,176</b>	<b>189,176</b>	<b>0</b>	<b>0</b>
GLA Precept	58,215	0	58,215	58,215	58,215	0	0
<b>Council Tax Requirement</b>	<b>247,391</b>	<b>0</b>	<b>247,391</b>	<b>247,391</b>	<b>247,391</b>	<b>0</b>	<b>0</b>

# Budget Variations allocated to portfolios in year consists of:	£'000
1) Carry forwards from 2022/23	644 (see note 3)
2) Allocations from the central contingency provision	4,460 (see Appendix 4)
	<u>5,104</u>

1) **NOTES**

Portfolio Final Approved Budgets analysed over Departments as follows:

	2023/24	Budget	2023/24	2023/24	Variation	Variation
	Original Budget	Variations allocated in year #	Approved Budget	Latest Budget	Projected Outturn	previously reported
	£'000	£'000	£'000	£'000	£'000	£'000
People Department	155,814	4,074	159,888	162,376	2,488	0
Place Department	81,753	895	82,648	85,750	3,102	0
Chief Executive's Department	23,242	135	23,377	23,924	547	0
	<u>260,809</u>	<u>5,104</u>	<u>265,913</u>	<u>272,050</u>	<u>6,137</u>	<u>0</u>

2) **Reversal of net Capital Charges**

This is to reflect the technical accounting requirements contained in CIPFA's Code of Practice for Local Authority Accounting and has no impact on the Council's General Fund.

3) **Carry Forwards from 2022/23**

Carry forwards from 2022/23 into 2023/24 totalling £644k were approved by Council and the Executive. Full details were reported to the July meeting of the Executive in the "Provisional Final Accounts 2022/23" report.

### **Comments from the Director of Environmental Services**

The key departmental budgetary pressure is sitting within the Parking Services.

Over the past year we have seen the vast majority of services return to what we would describe as pre Covid levels with the key area being Parking, where the volume of parking in quarter 1 continues to be a challenge. It may well be the case that these service areas off the back of Covid are now affected by the wider economic challenges affecting the UK and therefore recovery in these areas will be slower than originally anticipated.

Officers will be conducting a six month review of Parking Income in October once the data for April to September 2023 has been fully validated, this will hopefully allow us to understand where the issues lie and shore up our financial forecasts for the remainder of the year.

### **Comments from the Director of Adult Social Care**

The start of the financial year has seen a continuation of the pressures experienced during the last financial year, with continuing demand from the hospitals to discharge patients as soon as possible. The integrated system is working hard to avoid people being admitted directly from hospital to a care facility, helping them to continue their recovery at home. Whilst this is a better outcome for individuals, this is building an additional pressure into the social care budget and discussions are taking place with health partners to address this.

The teams continue to experience pressure in relation to those moving into adulthood from children's services and this is being given due attention at a senior level within the Council. Whilst there is a very evident growth in demand with more young people moving into adulthood, and people living longer lives, the growth in the budget built in is still under pressure. There is also significant growth in demand from those experiencing mental health issues.

The upturn in the cost of care has continued, partly due to the increase in the cost of living, but also with the expectation from providers that the Council moves closer to the Fair Cost of Care, with prices increasing significantly.

### **Comments from the Director of Housing, Planning and Regeneration**

£1,589k of growth was included in the housing budget for 2023/24 to reflect the continuing pressures in relation to homelessness and the provision of temporary accommodation. A total of £1,745k savings was also included to mitigate these pressures.

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 £2,176k overspend on temporary accommodation, with a £1,928k 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.

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.

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.

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) Increase in planning applications and need to ensure application processing is sufficiently resourced
- vi) Increases being seen in construction and maintenance costs

Finally, the immediate and ongoing impacts of the Covid-19 pandemic on budgets are only now becoming apparent. Significant losses in income, in particular from commercial rents, are expected as town centres have been severely affected during lockdown restrictions. There is also likely to be an increase in homeless presentations and families requiring temporary accommodation as the current moratorium on evictions is eased later in the year. The full impact in 2023/24 and future years remains difficult to assess and will be largely dependent on the easing of restrictions and recovery of the wider economy.

### **Comments from the Director of Childrens Services**

The Children, Education and Families Portfolio has a projected overspend of £2,142,000 for the year.

The Education Division (core funding) has a projected underspend of £236k.

Initial analysis indicates that there are a number of causal factors resulting in the forecast overspend position on transport:

An increase in number and complexity of Special Educational Needs and Disabilities over the past five years. The national increase in EHCPs is widely acknowledged as unsustainable and the rate of increase is accelerating across the country. In Bromley, despite gatekeeping measures, the increase in EHCPs has now reached 17%, (higher than the projected increase of 14% used to produce Growth funding assumptions). However, this rate of increase is lower than the national rate of 21% (DfE 2023)

The complexity of children and young people's needs continues to be at a higher level than prior to the Covid pandemic. These high levels of demand have continued for the past 3 years. A number of these cases have acute social, emotional and mental health needs, which require specialist provision which is typically costly independent provision outside of Bromley. Transport is often required and although officers seek to minimise costs, transport is often required to meet children's needs. In recent months we have begun to see a slight easing in the numbers of SEN referrals, which is positive, although it may be too early to be certain that this is a longer-term trend.

There is continued Transport provider pressures linked to the cost fuel and wages. The number of children requiring transport has increased by circa 17%, but this only accounts for part of the increase in costs. The reduced availability of drivers has resulted in more expensive providers having to be used from the call off framework.

Immediate management action was taken on the notification of the forecast budget overspend position. A specialist external transport adviser has undertaken a review of SEN transport arrangements, including benchmarking analysis and a full review of processes and eligibility criteria to identify potential savings. This has enabled significant mitigation proposals to be identified as part of the MTFS process, which would offset the forecast pressures on SEN Transport. In addition, work has been undertaken by our AD Strategic Performance resulting in predictive work for the next few years. This work has been incorporated into subsequent budget challenge discussions.

There is a current projected in year overspend in Education (DSG funding) of £4,209k in year. This will be added to the £12,706k carried forward in the reserves from 2022/23. There has been a prior year Early Year adjustment which has increased the 2022/23 DSG allocation by £600k, and this is off set against the DSG reserve that effectively reduces the reserve. This gives us an estimated DSG reserve of £16,315k at the end of the financial year.

We have recently met with representatives from the DfE to review our management of the DSG over-spend. They were able to confirm that they were satisfied with the steps that we continue to take and confirmed that they did not wish to meet with us again until next year.

The impact of additional legal duties from the SEND Reforms, has led to unsustainable financial pressures on High Needs costs within the DSG. An increase in Government funding (>£5m in 2021/22) is not sufficient to meet the increased costs. We are aware that Bromley is one of the last London Boroughs to incur a deficit in the DSG, with some local authorities having deficits in excess of £20m. The legal framework is heavily weighted in favour of parental preference, which is often for independent day and residential provision. We continue to assess all cases carefully and with a view to carefully balancing the education needs of young people and ensuring the best value for money from specialist education placements. Where it is appropriate to do so we continue to defend our decisions at Tribunal.

Nationally, the number of SEND tribunal appeals has increased by 29% from 2021 – 2022 and has tripled since 2014 (DfE, 2023). Out of 5,600 Tribunal hearings last year, only 3.7% of decisions made by local authorities were upheld. The Local Government Ombudsman received 15% more complaints about education and children's services in 2022-23 than in 2021-2022, 84% of which were upheld, higher than any other areas within the LGO's remit.

In the 2022 calendar year, 634 new EHCPs were issued, up from 274 in 2018 and 476 in 2021. We have sought to commission additional local specialist provision, including a new special free school due to open in 2024, but the needs and tribunal challenges are such that we have no choice but to continue placing children in more costly provision to ensure we are not in default of our legal statutory duties.

A review of High Needs Funding Bands has commenced, with oversight from the SEND Governance Board and CEF PDS. This will consider how the funding bands can be simplified and to identify where any savings can be made. We continue to work on increases to local specialist provision, including the special free school and increases in Additionally Resourced Provisions, which are specialist classes within mainstream schools.

In Children's Social Care the projected overspend is £2,378k.

The ongoing pressures that relate to emotional and mental health concerns for young people, combined with the impact of inflation and cost of living pressures continues, especially in respect of contacts into our MASH. These continue to remain consistently around 1,100 contacts per month with little sign of a reduction. This compares to around 600 in April 2020 and it is the complexity of need from the families and children that have an added dimension.

Although much reduced from the previous year, the financial pressures across CSC continue to be primarily driven by placement costs for young people and also by the cost of agency staff.

Nationally, the cost of residential placements increased by 18.78% in 2022/23 (ADCS 2023) as demand continues to be greater than the number of placements available, particularly for children with complex or specialist requirements. Although our recruitment of permanent staff has increased and we now have fewer agency staff than in the past two years, our spend on agency staff still contributes to the pressures on the CSC staffing budget.

There also continues to be a high level of demand for support particularly in CWD which has meant a rise in demand for our short break provision. In response we have sought to increase the number of nights available for the number of families requiring this. Whilst These continued pressures have meant an increase in our looked after population in CWD despite the innovative and expensive care packages put in to support with health provision short breaks. The resilience for some families is now being significantly tested following two years of Covid challenges. This is primarily seen in families for children with profound and complex health and challenging sometimes aggressive behaviour.

The risks in the Children, Education & Families Portfolio are:-

Recruitment and retention of permanent staff/ ability to recruit skilled staff for the posts vacant and competitive salaries being paid at this time

Limited supply and increasing costs of residential placements – including the specialist placements for very complex young people. The cost of such placements is high and then with the delay to final hearing families are being retained in these placements beyond the assessment.

Continued complexity of children (SEND).

Shortage of local school places (particularly for Specialist schools).

Increasing High Needs Block expenditure not matched by a commensurate increase in Government Grant.

## Adult Care and Health Portfolio Budget Monitoring Summary

2022/23 Actuals £'000	Division Service Areas	2023/24 Original Budget £'000	2023/24 Latest Approved £'000	2023/24 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
<b>PEOPLE DEPARTMENT</b>								
<b>Adult Social Care</b>								
23,554	Assessment and Care Management	22,816	24,508	24,958	450	1	0	3,095
118	Direct Services	117	117	117	0		0	0
2,334	Quality Assurance & Safeguarding	2,075	2,075	2,075	0		0	0
43,807	Learning Disabilities	48,075	47,943	47,185	Cr 758	2	0	456
8,650	Mental Health	8,415	8,415	9,173	758	3	0	800
907	Placement and Brokerage	979	659	659	0		0	0
Cr 255	Better Care Fund - Protection of Social Care	0	0	0	0		0	0
<b>79,115</b>		<b>82,477</b>	<b>83,717</b>	<b>84,167</b>	<b>450</b>		<b>0</b>	<b>4,351</b>
<b>Integrated Commissioning Service</b>								
1,299	Integrated Commissioning Service Information & Early Intervention	1,400	1,400	1,400	0		0	0
1,205	- Net Expenditure	3,761	3,761	3,761	0		0	0
Cr 1,205	- Recharge to Better Care Fund	Cr 3,756	Cr 3,756	Cr 3,756	0		0	0
<b>Better Care Fund</b>								
25,602	- Expenditure	28,226	28,226	28,226	0	4	0	0
Cr 25,622	- Income	Cr 28,246	Cr 28,246	Cr 28,246	0		0	0
<b>Improved Better Care Fund</b>								
10,327	- Expenditure	8,130	8,130	8,130	0	5	0	0
Cr 10,327	- Income	Cr 8,130	Cr 8,130	Cr 8,130	0		0	0
<b>1,279</b>		<b>1,385</b>	<b>1,385</b>	<b>1,385</b>	<b>0</b>		<b>0</b>	<b>0</b>
<b>Public Health</b>								
16,166	Public Health	15,927	16,436	16,436	0		0	0
Cr 15,876	Public Health - Grant Income	Cr 15,611	Cr 16,120	Cr 16,120	0		0	0
<b>290</b>		<b>316</b>	<b>316</b>	<b>316</b>	<b>0</b>		<b>0</b>	<b>0</b>
<b>80,684</b>	<b>TOTAL CONTROLLABLE ADULT CARE &amp; HEALTH</b>	<b>84,178</b>	<b>85,418</b>	<b>85,868</b>	<b>450</b>		<b>0</b>	<b>4,351</b>
421	<b>TOTAL NON CONTROLLABLE</b>	559	559	559	0		0	0
4,092	<b>TOTAL EXCLUDED RECHARGES</b>	3,494	3,494	3,494	0		0	0
<b>85,197</b>	<b>TOTAL ADULT CARE &amp; HEALTH PORTFOLIO</b>	<b>88,231</b>	<b>89,471</b>	<b>89,921</b>	<b>450</b>		<b>0</b>	<b>4,351</b>

## Reconciliation of Latest Approved Budget

£'000

## 2023/24 Original Budget

88,231

## Carry forwards:

Supplementary Substance Misuse Treatment &amp; Recovery Funding

- expenditure	57
- income	-57

Improved Better Care Fund (IBCF)

- expenditure	1,911
- income	-1,911

Public Health Grant

- expenditure	2,874
- income	-2,874

LD/Autism Funding from South East London ICB

- expenditure	208
- income	-208

Discharge Transformation Funding from South East London ICB

- expenditure	256
- income	-256

Shared Lives Transformation Posts

- expenditure	400
- income	-400

Charging Reform Implementation Support Grant

- expenditure	104
- income	-104

Omicron Support Fund

- expenditure	136
- income	-136

Test and Trace service support grant

- expenditure	368
- income	-368



Contain Outbreak Management Fund grant		
- expenditure		54
- income		-54
<b>Contingency:</b>		
Market Sustainability and Improvement Fund		2,788
Adult Social Care Discharge Fund	Cr	1,084
Market Sustainability and Improvement Fund - Workforce Fund		
- expenditure		1,810
- income	Cr	1,810
ICB Funding for Hospital Discharges		
- expenditure		1,511
- income	Cr	1,511
Work Safe Project		
- expenditure		65
- income	Cr	65
<b>Other:</b>		
Transfer of Staff from LD Care Management to Children's 0-25 years' service	Cr	144
Transfer of Care Placements Team Staff to Children's Services	Cr	320
<b>Latest Approved Budget for 2023/24</b>		
		<u><u>89,471</u></u>

## **1. Assessment and Care Management - Dr £450k**

The overspend in Assessment and Care Management can be analysed as follows:

	<u>Current</u> <u>Variation</u> £'000
<u>Physical Support / Sensory Support / Memory &amp; Cognition</u>	
<b>Services for 65 +</b>	
- Placements	Cr 272
- Domiciliary Care / Direct Payments	2,470
	<u>2,198</u>
<b>Services for 18-64</b>	
- Placements	288
- Domiciliary Care / Direct Payments	909
	<u>1,197</u>
<b>Market Sustainability and Improvement Fund (MSIF)</b>	
- 23/24 MSIF allocation	Cr 2,788
- 23/24 MSIF Workforce Fund allocation	Cr 1,810
	<u>4,598</u>
<b>Other</b>	
Hospital Discharge Packages	
- Placements	2,548
- Domiciliary Care	1,731
- Enhanced Care	2,300
- LBB Discharge Funding	Cr 1,084
- ICB Discharge Funding	Cr 1,511
- Management action	Cr 2,331
	<u>1,653</u>
	<u>450</u>

The 2023/24 budget includes funding for the full year effect of the September 2022 overspend as reported to Members in the September Budget Monitoring report.

### Services for 65+ - Dr £2,198k

Numbers in residential and nursing care to date are 59 below the budget provision of 489, however an overspend of £366k is currently projected. This is due to placements having to be made above the guide rates, as well as additional 1:1 support packages required for some service users in their placements costing circa £2.5m. Offsetting this is a projected underspend in emergency and temporary placements of £638k.

The overall position on the domiciliary care and direct payments budgets is a projected overspend of £2,470k. Domiciliary care is projected to overspend by £2,089k and direct payments to overspend by £381k.

### Services for 18-64+ - Dr £1,197k

Placements for 18-64 age group are projected to overspend by £486k this year based on current service user numbers which are currently 5 above budgeted levels. Offsetting this is a projected underspend on emergency and temporary placements of £198k.

The overall position on the domiciliary care and direct payments budgets is a projected overspend of £909k. Domiciliary care is currently projected to overspend by £517k and direct payments to overspend by £392k.

### Discharge to Assess (D2A) - Dr £1,653k

Discharges from hospital continue to follow the new pathway set up with Health. Currently a full year overspend of £6,579k is projected, split between placements of £2,548k, domiciliary care of £1,731k and enhanced care of £2,300k. This is however offset by management action of £2,331k, aiming to reduce the length of time a service user spends in a D2a setting, as well as the application of discharge funding (£1,084k LBB and £1,511k ICB). Officers also continue to ensure that service users are moved on from these packages to normal packages of care as soon as possible, ensuring that client contributions are being maximised. The numbers of residents being discharged are broadly within trend for Bromley, however, the packages of care are more expensive and for longer duration.

## **2. Learning Disabilities - Cr £758k**

The 2023/24 Learning Disabilities (LD) budget includes funding for anticipated 2023/24 demand-related pressures and the full year effect (FYE) of the 2022/23 overspend but also reductions relating to planned savings.

An underspend of £758k is currently anticipated which mainly relates to the 18-64 age range. This is based upon the current level of costs and client numbers. Work is on-going to identify the impact of clients who are expected to transition from Children's Services during the year. Given the early stage in the financial year a significant element of projected spend is based on assumptions, for example future services for young people transitioning to adult social care services and increased client needs during the year. In view of the relatively high proportion of the forecast based on future assumptions rather than actual data, this position is likely to change as the year progresses.

### **3. Mental Health - Dr £758k**

The 2023/24 budget includes an adjustment for the full year effect of the September 2022 underspend reported to Members as part of the September Budget Monitoring report.

Placements for 65+ age group are projected to overspend by £298k this year based on current service user numbers of 50.

The overall position on the domiciliary care and direct payments budgets is a projected overspend of £49k. Domiciliary care is currently projected to overspend by £148k and direct payments to underspend by £99k.

Placements for the 18-64 age group are projected to overspend by £312k this year based on current service user numbers of 107, and mainly relates to placements in Nursing homes.

The overall position on the domiciliary care and direct payments budgets is a projected overspend of £99k, with Domiciliary care currently projected to underspend by £1k and direct payments to overspend by £100k.

### **4. Better Care Fund (BCF) - Nil variation**

Other than variations on the protection of social care element, any underspends on Better Care Fund budgets will be carried forward for spending in future years under the pooled budget arrangement with South East London ICB.

The final 2023/24 allocation is a 5.66% increase above 2022/23 levels. It is likely that this allocation will be needed to offset the cost of hospital discharge care packages.

### **5. Improved Better Care Fund (IBCF) - Nil Variation**

The total amount of funding available in 2023/24 is:

	£'000
2023/24 IBCF allocation	7,731
Carry forward from previous years	1,911
	<hr/>
	9,642

### **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 has to 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 Sub-Committee bi-annually. The Director of Adult Social Care has additional authority in respect of placements.

Since the last report to the Executive, 29 waivers for Adult placements have been agreed for between £50k and £100k and 8 for more than £100k.

### **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. There have been 2 virements since the last report to Executive. (1) Transfer of Staff from Learning Disabilities Care Management to Children's 0-25 years' service (£144k) and (2) Transfer of Care Placements Team Staff to Children's Services (£320k)

Children, Education and Families Portfolio Budget Monitoring Summary

2022/23 Actuals	Service Areas	2023/24 Original Budget	2023/24 Latest Approved	2023/24 Projected Outturn	Variation	Notes	Variation Last Reported	Full Year Effect
£'000		£'000	£'000	£'000	£'000		£'000	£'000
<b>CHILDREN, EDUCATION AND FAMILIES PORTFOLIO</b>								
<b>Education Division - Core funding</b>								
Cr 347	Adult Education Centres	Cr 430	Cr 430	Cr 430	0		0	0
576	Schools and Early Years Commissioning & QA	739	739	620	Cr 119	1	0	0
2,771	SEN and Inclusion	2,525	2,615	2,455	Cr 160	2	0	0
100	Strategic Place Planning	56	56	56	0		0	0
17	Workforce Development & Governor Services	Cr 22	Cr 22	Cr 22	0		0	0
7,516	Access & Inclusion	8,134	9,134	9,177	43	3	0	0
196	Other Strategic Functions	459	369	369	0		0	0
Cr 40	Central School Costs	Cr 60	Cr 60	Cr 60	0		0	0
<b>10,789</b>		<b>11,401</b>	<b>12,401</b>	<b>12,165</b>	<b>Cr 236</b>		<b>0</b>	<b>0</b>
<b>Children's Social Care</b>								
1,911	Bromley Youth Support Programme	1,798	1,798	1,923	125	4	0	0
1,260	Early Intervention and Family Support	1,545	1,545	1,500	Cr 45	5	0	0
10,034	CLA and Care Leavers	11,485	12,352	12,680	328	6	0	300
22,122	Fostering, Adoption and Resources	23,880	24,380	24,348	Cr 32	7	0	500
5,184	0-25 Children Service (Disability Services)	3,714	4,314	5,382	1,068	8	0	1,400
5,073	Referral and Assessment Service	4,765	4,765	5,229	464	9	0	0
4,582	Safeguarding and Care Planning East	4,181	4,181	4,360	179	10	0	0
2,998	Safeguarding and Care Planning West	2,493	2,499	2,715	216	11	0	0
Cr 2,489	Safeguarding and Quality Improvement	Cr 6,255	Cr 6,394	Cr 6,319	75	12	0	0
<b>50,675</b>		<b>47,606</b>	<b>49,440</b>	<b>51,818</b>	<b>2,378</b>		<b>0</b>	<b>2,200</b>
<b>61,464</b>	<b>TOTAL CONTROLLABLE FOR CEF CORE FUNDING</b>	<b>59,007</b>	<b>61,841</b>	<b>63,983</b>	<b>2,142</b>		<b>0</b>	<b>2,200</b>
129	<b>Total Non-Controllable</b>	1,424	1,424	1,424	0			0
11,182	<b>Total Excluded Recharges</b>	7,208	7,208	7,208	0		0	0
<b>72,775</b>	<b>TOTAL CEF PORTFOLIO CORE FUNDING</b>	<b>67,639</b>	<b>70,473</b>	<b>72,615</b>	<b>2,142</b>		<b>0</b>	<b>2,200</b>
<b>Education Division - DSG Funding</b>								
21,691	Schools and Early Years Commissioning & QA	21,512	21,512	21,410	Cr 102	13	0	0
39,401	SEN and Inclusion	40,787	40,787	45,097	4,310	14	0	0
3,272	Access & Inclusion	3,635	3,635	3,636	1		0	0
22	Strategic Place Planning	94	94	94	0		0	0
6	Workforce Development & Governor Services	20	20	20	0		0	0
130	Other Strategic Functions	481	481	481	0		0	0
Cr 97,312	Schools Budgets	Cr 103,139	Cr 103,139	Cr 103,139	0		0	0
17,840	Special Schools and Alternative Provision	18,983	18,983	18,983	0		0	0
7,847	Primary Schools	10,075	10,075	10,075	0		0	0
4,005	Secondary Schools	3,798	3,798	3,798	0		0	0
0	Charge to Reserves	0	0	Cr 4,209	Cr 4,209	15	0	0
<b>Cr 3,098</b>		<b>Cr 3,754</b>	<b>Cr 3,754</b>	<b>Cr 3,754</b>	<b>0</b>		<b>0</b>	<b>0</b>
<b>Cr 3,098</b>	<b>TOTAL CONTROLLABLE FOR CEF - DSG FUNDING</b>	<b>Cr 3,754</b>	<b>Cr 3,754</b>	<b>Cr 3,754</b>	<b>0</b>		<b>0</b>	<b>0</b>
11	<b>Total Non-Controllable</b>	81	81	81	0		0	0
3,087	<b>Total Excluded Recharges</b>	3,673	3,673	3,673	0		0	0
<b>0</b>	<b>TOTAL CEF PORTFOLIO - DSG FUNDING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>
<b>TOTAL CEF PORTFOLIO</b>		<b>67,639</b>	<b>70,473</b>	<b>72,615</b>	<b>2,142</b>		<b>0</b>	<b>2,200</b>

Reconciliation of Latest Approved Budget £'000  
 Original Budget 2023/24 67,639

Contingency:

Carry forwards:

Deed Settlement for Hawes Down Site expenditure		5
income	Cr	5
Virtual School - CIN Grant Carry Forward expenditure		82
income	Cr	82
Homes for Ukraine DfE Grant expenditure		1,187
income	Cr	1,187
BAEC upgrading hardware and supporting software - GLA Grant expenditure		26
income	Cr	26
YOT NHS Money expenditure		29
income	Cr	29
COVID Recovery Grant expenditure		130
income	Cr	130
National Tutoring Programme expenditure		22
income	Cr	22
GLA Adult Ed Grant Repayment		

expenditure		16
income	Cr	16
Supporting Families; Investing in Practice Grant		
expenditure		475
income	Cr	475
Homes for Ukraine Main Grant		
expenditure		300
income	Cr	300
<b>Other:</b>		
Transfer of Staff from LD Care Management to Children's 0-25 years' service		144
Transfer of Care Placements Team Staff to Children's Services		320
S31 Leaving Care Uplift Grant		
expenditure		68
income	Cr	68
GLA free school meal payment		
expenditure		6,036
income	Cr	6,036
UKSPF funding		
expenditure		275
income	Cr	275
Above Inflation Pressures on Children Placements		1,370
Drawdown of SEN Transport		1,000
<b>Latest Approved Budget for 2023/24</b>		<b><u><u>70,473</u></u></b>

## **REASONS FOR VARIATIONS**

### **1. Schools and Early Years Commissioning & QA - Cr £119k**

The in-house nurseries are currently expected to underspend by £80k, and this is down to an underspend on staffing.

Across the rest of the service there is a £39k underspend relating to staffing

### **2. SEN and Inclusion - Cr £160k**

The staffing in this area is currently forecasting an underspend by £153k. This is due to a number of posts that are currently vacant and are currently expected to be filled during the year. The remaining £7k relates to an underspend in running costs.

### **3. Access & Inclusion - Dr £43k**

The Education Welfare Service Trading Account is currently expected to under collect on its income by £43k due to the loss of a number of school contracts.

### **Children's Social Care - Dr £2,378k**

The current budget variation for the Children's Social Care Division is projected to be an overspend of £2,378k, Additional funding has been identified of £1,370k due to above inflationary increases in prices across the board in CSC. this has been applied but some pressures/demands still remain

### **4. Bromley Youth Support Programme -Dr £125k**

The BYSP budget is projected to overspend by £125k this year. The service is currently looking at transformational savings that have not yet been realised.

### **5. Early Intervention and Family Support - Cr £45k**

The main projected variance relates to services is a projected underspend on staffing of £82k. This is then offset by a £37k overspend on running costs.

### **6. CLA and Care Leavers - Dr £328k**

The service is currently expected to overspend by £328k. This is due to an overspend in staffing of £66k, an under collection of income of £125k and a £15k underspend on running costs. Additional, there are is an overspend of £152k relating to placement costs in the service.

### **7. Fostering, Adoption and Resources - Cr £32k**

The budget for children's placements is currently projected to overspend by £88k this year. This amount is analysed by placement type below.

- Community Home's / Community Home's with Education - Dr £804k
- Boarding Schools - Cr £121k
- Secure Placement - Cr £201k
- Fostering services (IFA's) - Dr £309k
- Fostering services (In-house, including SGO's and Kinship) - Cr £568k
- Adoption placements - Cr £199k
- Outreach Services - Dr £143k
- Transport Costs - Cr £79k

Additionally there is an extra £304k worth of income - most of which relates to the cost of the placements. This is then being offset by overspends in staffing of £175k and running cost of £9k.

### **8. 0-25 Children Service - Dr £1,068k**

The main area of overspend is the use of Direct Payments and Dom Care to support the client of £1,144k. There is also a overspend in running costs of £24k. These overspends are then being offset by an underspend in staffing of £100k.

### **9. Referral and Assessment Service Dr £464k**

The main projected variance relates to a projected overspend on staffing of £573k. This is then offset by a £109k underspend on running costs that mostly relates to No Recourse to Public Funds (NRPF) clients.

### **10. Safeguarding and Care Planning East Dr £179k**

The budget in this area is currently projected to overspend by £179k, and is due to staffing overspends of £169k, with the remaining (£10k) relating to general running costs overspends.

### **11. Safeguarding and Care Planning West Dr £216k**

The projected variance relates to a projected overspend on staffing of £39k. There is an additional £177k overspend on running costs that mostly relates to looked after clients.

### **12. Safeguarding and Quality Improvement Dr £75k**

The projected overspend of £75k in this area mainly relates to staffing (£53k), and this includes the costs of recruiting and retaining social workers across the whole of Children's Social Care. There is additionally a £22k overspend in running costs.

### **Schools Budgets (no impact on General Fund)**

Expenditure on Schools is funded through the Dedicated Schools Grant (DSG) provided by the Department for Education (DfE). DSG is ring fenced and can only be applied to meet expenditure properly included in the Schools Budget. Any overspend or underspend must be carried forward to the following years Schools Budget.

There is a current projected overspend in DSG of £4,209k. This will be added to the £12,706k carried forward in the reserves from 2022/23. There has been a prior year Early Year adjustment which has increased the 2022/23 DSG allocation by £600k, and this is off set against the DSG reserve that effectively reduces the reserve. This gives us an estimated DSG reserve of £16,315k at the end of the financial year.

### **13. Schools and Early Years Commissioning & QA Cr £102k**

The underspend of £102k is due to staffing underspends over a range of cost centres.

### **14. SEN and Inclusion Dr £4,310k**

SEN placements are projected to overspend by a total of £4,729k. The overspend is being caused by the Maintained Day (£1,749k), Independent Day (£881k), Alternative Programmes (£1,098k), Maintained Boarding Schools (£259k), Direct Payment (£199k) and Matrix funding (£602k). This is then slightly offset by an underspend on Independent Boarding Schools (£59k).

Additionally to the placement costs, there is an under collection / repayment of grant in this area of £114k, an underspend on staffing across a number of units of £316k, and an underspend on running costs of £217k (of which some relates to the repayment of grant).

### **15. Charge to Reserves Cr £4,209k**

Section 25 of the Local Government Act 2003 requires the Section 151 Officer to report on the robustness of the budget calculations and adequacy of reserves. The 151 Officer within that commentary is now required to consider the Councils DSG deficit position, despite the statutory override being in place.

The statutory override effectively means that any DSG deficits are not included in the Councils main revenue budgets. However funding will ultimately need to be identified

In effect the Council has to still set aside resources to meet the DSG deficit and where no ongoing funding is identified such funding will need to come from the Councils reserves. On that basis the budget monitoring report identifies a deficit of £4,209k which has to ultimately be funded from the Councils reserve.

Although DSG is effectively ring fenced the ongoing increase through funding by reserves (general and earmarked) creates a financially unsustainable position in the medium to longer term

The External Auditor as part of the annual accounts, are required to comment on the Councils Value for money arrangements and will be required to consider any DSG deficit and the impact on the Councils finances

In terms of presentation of the DSG deficit of £12,706k up to 31/3/2023 and the estimated in year sum of £4,209k in 2023/24, there will need to be adequate funding from the Councils reserves unless alternative savings can be found. The use of reserves have been assumed in this report, although the specific reserves to use have not been identified at this stage.

### **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 has to 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 Sub-Committee bi-annually. Since the last report to the Executive, there has been in Children's Social Care there were 4 waivers agreed for placements of between £50 and £100k, 3 between £100k and £150k, and 2 for a value of over £200k.

**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, there have been two virements processed :- (1) Transfer of Staff from Learning Disabilities Care Management to Children's 0-25 years' service (£144k) and (2) Transfer of Care Placements Team Staff to Children's Services (£320k)



## Environment &amp; Community Portfolio Budget Monitoring Summary

2022/23 Actuals £'000	Service Areas	2023/24 Original Budget £'000	2023/24 Latest Approved £'000	2023/24 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>ENVIRONMENT &amp; COMMUNITY PORTFOLIO</b>							
	<b>Street Scene &amp; Green Spaces</b>							
1,151	Arboriculture Management	814	814	864	50	1	0	0
92	Business Support and Markets	26	26	113	87	2	0	0
1,189	Senior Management	1,331	1,331	1,331	0		0	0
211	Performance Management and Business Support	224	224	224	0			
6,439	Parks and Green Spaces	6,854	6,854	6,860	6	3		
79	Carbon Management	155	155	155	0		0	0
18,503	Waste Services	20,722	20,722	20,740	18	4	0	0
6,491	Neighbourhood	6,961	6,961	6,961	0		0	0
<b>34,155</b>		<b>37,087</b>	<b>37,087</b>	<b>37,247</b>	<b>160</b>		<b>0</b>	<b>0</b>
	<b>Transport Operations and Depot</b>							
552	Transport Operations and Depot Management	632	632	632	0		0	0
<b>552</b>		<b>632</b>	<b>632</b>	<b>632</b>	<b>0</b>		<b>0</b>	<b>0</b>
	<b>Traffic, Parking and Highways</b>							
-140	Traffic & Road Safety	161	161	75	Cr 86	5	0	0
Cr 8,209	Parking	Cr 9,186	Cr 9,186	Cr 8,536	650	6	0	0
8,979	Highways (including London Permit Scheme)	9,339	9,584	9,483	Cr 101	7	0	0
<b>630</b>		<b>314</b>	<b>559</b>	<b>1,022</b>	<b>463</b>		<b>0</b>	<b>0</b>
<b>35,337</b>	<b>TOTAL CONTROLLABLE</b>	<b>38,033</b>	<b>38,278</b>	<b>38,901</b>	<b>623</b>		<b>0</b>	<b>0</b>
1,673	<b>TOTAL NON-CONTROLLABLE</b>	6,743	6,743	6,743	0		0	0
2,284	<b>TOTAL EXCLUDED RECHARGES</b>	2,343	2,343	2,343	0		0	0
<b>39,294</b>	<b>PORTFOLIO TOTAL</b>	<b>47,119</b>	<b>47,364</b>	<b>47,987</b>	<b>623</b>		<b>0</b>	<b>0</b>

## Reconciliation of Latest Approved Budget

£'000

Original Budget 2023/24

47,119

Carry Forward Requests approved from 2022/23

Highways income for road maintenance

245

Central Contingency Adjustments

Other

Latest Approved Budget for 2023/24

47,364

## **REASONS FOR VARIATIONS**

### **1. Arboriculture Dr £50k**

Tree works are identified through a triennial inspection programme and carried out in compliance with the adopted Tree Management Strategy to manage risk. The projected overspend of £50k recognises that in previous years, the volume of essential works has exceeded the budget available. There are several unknown factors affecting budget which make overspend a risk, including the result of additional procurement activity agreed by the Executive in July 2023 where budget risk was identified in the report.

### **2. Business Support & Markets Dr £87k**

Street trading income remains affected by the continuation, under the Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2021, of pavement licences. This was a temporary measure, originally introduced during the Covid pandemic but now extended into 2023 and being made permanent, which allows businesses to apply for a pavement licence for a £100 administration fee with no ongoing charges; this administration process is managed through Licensing in PP. This is a significant reduction compared to the permanent street trading licence scheme where the fees charged were significantly higher and are subject to periodic 6-month renewal. The estimated net impact on the Council this year is a net loss of £87k.

### **3. Parks and Green Spaces, Dr 6k**

The service is incurring a £6k overspend on Business Rates in Parks General, this is related to the charges for Tent Peg Lane.

### **4. Waste Services Dr £18k**

The service is declaring an overspend of £18k related to haulage costs for the 'Persistent Organic Pollutants (POPS) containing' waste. This is due to DEFRA and Environmental agency guidance that requires any waste containing potential POPs waste should be incinerated, therefore a change to the waste management contract is required to manage this which has meant an increase in costs to the council.

### **5. Traffic & Road Safety Cr £85k**

As had been reported throughout the last financial year, the situation regarding TfL funding of the Council's LIP capital programme and the staff engaged to deliver schemes continues to remain uncertain. The service are retaining vacancies as mitigation against this loss of funding. Total income overachieved by the service in Q1 is £85k, this is the advertising income from JD Decaux.

### **Parking, Dr £650k**

	<b>Total £'000</b>
<b>Summary of variations within Parking</b>	
Off Street (incl. Multi Storey Car Parks)	206
On Street	-121
RingGo fees	-117
<b>Parking fees total:</b>	<b>-32</b>
Moving Traffic Contraventions (MTCs)	304
Bus Lanes	628
Parking Shared Services	-250
<b>Enforcement total:</b>	<b>682</b>
<b>Total variations</b>	<b>650</b>

### **6a. Car Parks (off street and multistorey car parks) Dr £206k**

In recent years there has been a marked change in the use of vehicles for trips to town centres and for commuting. This has had an impact on the use of off-street car parking spaces, resulting in a lower income to the Council. Based on the information available in Q1 this income line is underachieving by £206k

### **6b. On Street Car Parks Cr £121k**

On street parking income has overachieved the budget by £121k.

### **6c. Ringo Fees, Cr £117k**

The amount that the Council receives from RingGo fees continued to be buoyant into the first quarter of the financial year, as the increased use of this payment method to pay for parking fees appears to be sustained and an overachievement of £117k. All pay and display machines were removed in April 23 making this the only payment method for all on and off street parking within the Borough, apart from the Civic Offices car park.

### **6d. Moving Traffic Contraventions (MTCs), Dr £304k**

Since the introduction of enforcement of moving traffic contraventions in October 2021, the actual number of tickets issued has been significantly lower than anticipated. Officers believe that this has been the result of changes in traffic patterns post Covid-19 pandemic, alongside the Borough's fair approach to enforcement. The shortfall for Q1 is £304k.

**6e. Bus Lanes, Dr £628k**

As has been reported previously, compliance of Bus Lanes continues to improve and therefore this income budget underachieved by £628k this year, this is a worsening of the position from last year.

**6f. Parking Shared Service Cr £250k**

An underspend of £250k is being reported for the Parking Shared Service mainly due to underspends on staffing as a result of vacancies across both boroughs as well as a reduction in the number of agency staff employed.

**7. Highways, including London Permit Scheme Cr £101k**

The Highways service has an overall underspend of £101k. The service have applied for a carry forward of £245k that will be utilised in 2023-2024 for Highways Maintenance.

Highways are overachieving in areas such as Traffic Control Maintenance (Inspection Fees, Defect Notices, Section 74 Notices, Fixed Penalty Notices) by £101k.

**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 has to 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 over £50k 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, no virements have been actioned.

## Public Protection &amp; Enforcement Budget Monitoring Summary

2022/23 Actuals £'000	Service Areas	2023/24 Original Budget £'000	2023/24 Latest Approved £'000	2023/24 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>Public Protection</b>							
483	Community Safety	540	584	584	0		0	0
152	Emergency Planning	157	157	157	0		0	0
823	Mortuary & Coroners Service	939	939	939	0		0	0
1,251	Public Protection	1,592	1,737	1,737	0		0	0
<b>2,709</b>	<b>TOTAL CONTROLLABLE</b>	<b>3,228</b>	<b>3,417</b>	<b>3,417</b>	<b>0</b>		<b>0</b>	<b>0</b>
3	<b>TOTAL NON CONTROLLABLE</b>	12	12	12	0		0	0
950	<b>TOTAL EXCLUDED RECHARGES</b>	816	816	816	0		0	0
<b>3,662</b>	<b>PORTFOLIO TOTAL</b>	<b>4,056</b>	<b>4,245</b>	<b>4,245</b>	<b>0</b>		<b>0</b>	<b>0</b>

## Reconciliation of Latest Approved Budget

£'000

## Original Budget 2023/24

4,056

Out of Hours Noise Service in Community Safety

50

## Carry Forward Requests approved from 2022/23

POCA confiscation orders from the courts

61

HMO income

78

## Latest Approved Budget for 2023/24

4,245

## **REASONS FOR VARIATIONS**

### **1. Emergency Planning - no variation**

### **2. Mortuary & Coroners Service - no variation**

£300k of growth was awarded to this budget in 23/24 and this has mitigated the pressure we had here last year.

### **3. Public Protection - no variation**

The service have applied for a carry forward of £139k, that will be utilised in 2023-2024 for HMO income and POCA confiscation orders from the courts.

### **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 has to 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 over £50k 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, no virements have been actioned.

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

2022/23 Actuals £'000	Division Service Areas	2023/24 Original Budget £'000	2023/24 Latest Approved £'000	2023/24 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>PLACE DEPARTMENT</b>							
	<b>Planning</b>							
27	Building Control	70	70	266	196	1	0	0
Cr 63	Land Charges	Cr 117	Cr 117	Cr 47	70	2	0	0
1,823	Planning	986	1,106	1,391	285	3	0	0
<b>1,787</b>		<b>939</b>	<b>1,059</b>	<b>1,610</b>	<b>551</b>		<b>0</b>	<b>0</b>
	<b>Culture &amp; Regeneration</b>							
1,384	Culture	1,120	1,120	1,120	0		0	0
5,570	Libraries	5,174	5,365	5,365	0		0	0
87	Town Centre Management	44	44	44	0		0	0
<b>7,041</b>		<b>6,338</b>	<b>6,529</b>	<b>6,529</b>	<b>0</b>		<b>0</b>	<b>0</b>
	<b>Operational Housing</b>							
1,276	Housing Strategy, Advice and Enabling	1,522	1,522	1,522	0		0	0
Cr 1,502	Housing Benefits	Cr 1,586	Cr 1,586	Cr 1,586	0		0	0
Cr 54	Housing Improvement	Cr 20	Cr 20	Cr 20	0		0	0
7,046	Allocations and Accommodation	5,613	5,613	7,789	2,176	4	0	3,347
921	Supporting People	1,134	1,134	986	Cr 148	5	0	Cr 148
1,095	Housing Options and Support	1,671	1,671	1,571	Cr 100	6	0	0
<b>8,782</b>		<b>8,334</b>	<b>8,334</b>	<b>10,262</b>	<b>1,928</b>		<b>0</b>	<b>3,199</b>
<b>17,610</b>	<b>Total Controllable</b>	<b>15,611</b>	<b>15,922</b>	<b>18,401</b>	<b>2,479</b>		<b>0</b>	<b>3,199</b>
Cr 412	<b>TOTAL NON CONTROLLABLE</b>	Cr 541	Cr 541	Cr 541	0		0	0
5,691	<b>TOTAL EXCLUDED RECHARGES</b>	5,583	5,583	5,583	0		0	0
<b>22,889</b>	<b>TOTAL RR &amp; H PORTFOLIO TOTAL</b>	<b>20,653</b>	<b>20,964</b>	<b>23,443</b>	<b>2,479</b>		<b>0</b>	<b>3,199</b>

## Reconciliation of Latest Approved Budget

£'000

## Original budget 2023/24

20,653

## Carry Forward Requests approved from 2022/23

Homelessness Reduction Grant	89
Homelessness Reduction Grant	Cr 89
Accommodation for ex-Offenders Expenditure	64
Accommodation for ex-Offenders Grant	Cr 64
Rough Sleepers Initiative Grant expenditure	43
Rough Sleepers Initiative Grant income	Cr 43
Homes for Ukraine Grant	2,200
Homes for Ukraine Grant	Cr 2,200
Defra Biodiversity Net Gain Grant	13
Defra Biodiversity Net Gain Grant	Cr 13
New Homes Bonus Funded LEP Programme	73
New Homes Bonus Funded LEP Programme	Cr 73
Local Plan Implementation	120

## Central Contingency Adjustments

2023-24 Accommodation for Ex-Offenders expenditure	74
2023-24 Accommodation for Ex-Offenders income	Cr 74
2023-24 Rough Sleepers Initiative Grant expenditure	214
2023-24 Rough Sleepers Initiative Grant income	Cr 214
Homelessness Prevention Grant - 2023-24 additional allocation	363
Homelessness Prevention Grant - 2023-24 additional allocation	Cr 363
HPG- 2023/2024 Homes For Ukraine Funding Top-Up	1,117
HPG- 2023/2024 Homes For Ukraine Funding Top-Up	Cr 1,117
Inflation - Libraries contract	191

Other

Latest Approved Budget for 2023/24

20,964

## **REASONS FOR VARIATIONS**

With higher interest rates and the cost of living affecting the economy, there is pressure on income budgets across the Property and Planning Divisions.

### **1. Building Control Dr £196k**

Building Control fees were increased in 2022/23 in order to realign the budgeted income target with a more realistic outcome, but in 2023/24 an agreed saving increased the income budget target by £79k overall. Based on the activity in the past 3 months we anticipate that income will fall short of the budgeted amount by £196k. As the forecast is based on 3 months of actual income received and 9 months estimated if the activity improves the forecast will be adjust for Q2. .

### **2. Land Charges Dr £70k**

Similar to Building Control, we anticipate a variation overspend of around £70k which historically this has been the case over the past a few years, but assuming the activity improves in the remaining 9 months and if the introduction of a fees review is completed within this financial year and implemented this will reduce the variation. It must also be factored in the current economic climate and an additional £4k add to the income budget does not help the situation, We should have a more accurate figure for Q2 ..

### **3. Planning Dr £285k**

**Planning Pre-Apps & Planning 'Significant' Major Apps** We are currently forecasting a shortfall of income for Q1 of £285k, based on the current level of activity. It should be noted that the Government's planning application fees draft regulations consultation may increase future fee levels by 30%, however, any increase in fees is not currently expected to come into force until April 2024.

<https://www.legislation.gov.uk/ukdsi/2023/9780348250404>

### **4. Allocations and Accommodation Dr £2,176k**

There is currently a forecast overspend of £2,369k in the Temporary Accommodation before projected savings from the continuation of the Transformation Programme. For this round of budget monitoring the number of Households in nightly paid Temporary Accommodation was 1,125. It is currently expected that this will increase to 1,302 by the end of the financial year, at a current average cost of £8,268 per household per annum.

These figures exclude other schemes like More Homes Bromley, Pinnacle (formerly Orchard & Shipman), ex-residential care homes, and the Bromley Private Sector Leasing Scheme. Once these have been included there are currently over 1,556 households in Temporary Accommodation.

Transformation Programme savings totalling £193k have been identified for 2023-24 with the following schemes planned to be completed to provide a longer term alternative to expensive nightly paid accommodation, Meadowship Homes Phase 2 £126k and York Rise £67k. Other earlier schemes in the programme have been completed and are contributing to the housing options available. The Full Year Effect of these savings is estimated at around £1.3m.

	<b>£'000</b>
<b>Summary of overall variations within Allocations and Accommodation:</b>	
Temporary Accommodation	2,369
Transformation Savings	Cr 193
<b>Total variation for Allocations and Accommodation</b>	<u><u>2,176</u></u>

### **5. Supporting People Cr £148k**

A £148k underspend is currently forecast in the Supporting People mainly as a result of procurement exercises during 2021/22 and 2022/23 containing costs within inflation that had accumulated in the budget. The full retendering exercise has been completed and the current underspend will remain in this budget to cover potential future pressures.

### **6. Housing Options and Support Cr £100k**

A £100k underspend is currently forecast in Housing Options and Support on salary costs. This relates to a number of difficult to fill vacancies in the service.

### **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 has to 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, no virements have been actioned.

## Resources, Commissioning &amp; Contracts Management Portfolio Budget Monitoring Summary

2022/23 Actuals £'000		2023/24 Original Budget £'000	2023/24 Latest Approved £'000	2023/24 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>CHIEF EXECUTIVE'S DEPARTMENT</b>							
	<b>FINANCIAL SERVICES DIVISION</b>							
265	Director of Finance & Other	267	267	267	0		0	0
5,953	Exchequer - Revenue & Benefits	6,831	6,784	6,784	0		0	0
2,249	Exchequer - Payments & Income	2,295	2,444	2,444	0		0	0
582	Financial Accounting	1,233	1,233	1,233	0		0	0
1,730	Management Accounting	1,991	1,997	1,997	0		0	0
848	Audit	1,073	1,073	1,073	0		0	0
<b>11,627</b>	<b>Total Financial Services Division</b>	<b>13,690</b>	<b>13,798</b>	<b>13,798</b>	<b>0</b>		<b>0</b>	<b>0</b>
	<b>CORPORATE SERVICES DIVISION</b>							
6,911	<b>Information Systems &amp; Telephony</b>	7,238	7,238	7,457	219	1	0	0
	<b>Legal Services &amp; Democracy</b>							
1,221	Electoral	512	512	512	0		0	0
1,473	Democratic Services	1,607	1,607	1,505	Cr 102	2	0	0
179	Mayoral	184	184	184	0		0	0
2,986	Legal Services	2,525	2,835	3,265	430	3	0	0
529	Procurement and Data Management	585	585	585	0		0	0
219	<b>Management and Other (Corporate Services)</b>	235	235	235	0		0	0
<b>13,518</b>	<b>Total Corporate Services Division</b>	<b>12,886</b>	<b>13,196</b>	<b>13,743</b>	<b>547</b>		<b>0</b>	<b>0</b>
	<b>HR AND CUSTOMER SERVICES DIVISION</b>							
2,429	Human Resources	2,499	2,499	2,499	0		0	0
	<b>Customer Services</b>							
1,185	Contact Centre	1,249	1,304	1,304	0		0	0
Cr 99	Registration of Births, Deaths & Marriages	Cr 131	Cr 131	Cr 131	0		0	0
306	CE - Consultation & Communication	326	326	326	0		0	0
<b>3,821</b>	<b>Total HR &amp; Customer Services Division</b>	<b>3,943</b>	<b>3,998</b>	<b>3,998</b>	<b>0</b>		<b>0</b>	<b>0</b>
	<b>CHIEF EXECUTIVE'S DIVISION</b>							
826	Management and Other (C. Exec)	1,162	1,162	1,162	0		0	0
<b>826</b>	<b>Total Chief Executive's Division</b>	<b>1,162</b>	<b>1,162</b>	<b>1,162</b>	<b>0</b>		<b>0</b>	<b>0</b>
	<b>CENTRAL ITEMS</b>							
808	<b>CDC &amp; Non Distributed Costs (Past Deficit etc.)</b>	1,361	1,361	1,361	0		0	0
5,964	<b>Concessionary Fares</b>	7,320	6,982	6,982	0		0	0
<b>36,564</b>	<b>TOTAL CONTROLLABLE CE DEPT</b>	<b>40,362</b>	<b>40,497</b>	<b>41,044</b>	<b>547</b>		<b>0</b>	<b>0</b>
14	<b>TOTAL NON CONTROLLABLE</b>	449	449	449	0		0	0
Cr 22,246	<b>TOTAL EXCLUDED RECHARGES</b>	Cr 17,569	Cr 17,569	Cr 17,569	0		0	0
<b>14,332</b>	<b>TOTAL CE DEPARTMENT</b>	<b>23,242</b>	<b>23,377</b>	<b>23,924</b>	<b>547</b>		<b>0</b>	<b>0</b>
	<b>CHILDREN, EDUCATION AND FAMILIES DEPARTMENT</b>							
	<b>Strategy and Corporate Projects</b>							
133	Commissioning	237	237	167	Cr 70	4	0	0
1,781	Strategy, Performance and Engagement	1,884	1,884	1,850	Cr 34	5	0	0
<b>1,914</b>	<b>TOTAL CONTROLLABLE CEF DEPT</b>	<b>2,121</b>	<b>2,121</b>	<b>2,017</b>	<b>Cr 104</b>		<b>0</b>	<b>0</b>
3	<b>TOTAL NON CONTROLLABLE</b>	1	1	1	0		0	0
Cr 2,152	<b>TOTAL EXCLUDED RECHARGES</b>	Cr 2,178	Cr 2,178	Cr 2,178	0		0	0
<b>Cr 235</b>	<b>TOTAL CEF DEPARTMENT</b>	<b>Cr 56</b>	<b>Cr 56</b>	<b>Cr 160</b>	<b>Cr 104</b>		<b>0</b>	<b>0</b>
	<b>ENVIRONMENT &amp; COMMUNITY SERVICES DEPARTMENT</b>							
	<b>Total Facilities Management</b>							
2,134	Admin Buildings & Facilities Support	1,727	1,727	1,727	0		0	0
1,147	Investment & Non-Operational Property	823	823	823	0		0	0
Cr 270	Strategic & Operational Property Services	1,020	1,170	1,170	0		0	0
2,191	TFM Client Monitoring Team	1,957	1,957	1,957	0		0	0
Cr 1,528	Other Rental Income - Other Portfolios	Cr 1,683	Cr 1,683	Cr 1,683	0		0	0
2,626	Repairs & Maintenance (All LBB)	2,513	2,513	2,513	0		0	0
<b>6,300</b>	<b>TOTAL CONTROLLABLE ECS DEPT</b>	<b>6,357</b>	<b>6,507</b>	<b>6,507</b>	<b>0</b>		<b>0</b>	<b>0</b>
64	<b>TOTAL NON CONTROLLABLE</b>	7,919	7,919	7,919	0		0	0
Cr 872	<b>TOTAL EXCLUDED RECHARGES</b>	Cr 4,308	Cr 4,308	Cr 4,308	0		0	0
Cr 1,696	<b>Less: R&amp;M allocated across other Portfolios</b>	Cr 1,726	Cr 1,726	Cr 1,726	0		0	0

1,528	Less: Rent allocated across other Portfolios	1,683	1,683	1,683	0	0	0
5,324	<b>TOTAL ECS DEPARTMENT</b>	<b>9,925</b>	<b>10,075</b>	<b>10,075</b>	<b>0</b>	<b>0</b>	<b>0</b>
19,421	<b>TOTAL RCCM PORTFOLIO</b>	<b>33,111</b>	<b>33,396</b>	<b>33,839</b>	<b>443</b>	<b>0</b>	<b>0</b>

**Reconciliation of Latest Approved Budget** **£'000**  
**Original budget 2023/24** **33,111**

**Carry Forward Requests approved from 2022/23**

Electoral Services - New Burdens Grant			
- Expenditure		15	
- Income	Cr	15	
Local Digital Cyber Fund			
- Expenditure		50	
- Income	Cr	50	
BEIS - EBSS AF and AFP			
- Expenditure		847	
- Income	Cr	847	
Legal Services - ULEZ		140	
			<b>140</b>

**Central Contingency Adjustments**

Legal support - children and adults social care		170
Energy contract (part year)		
Local election May 2022		
Legal Support – children’s and adults social care		
Inflation		
IT contract procurement		
Resources to support GDPR compliance		
Inflation - Concessionary Fares		-338
Inflation - Liberata contract - Exchequer Services		102
Inflation - Liberata contract - Contact Centre		55
Inflation - Liberata contract - School Finance		6
Star Lane works		150

**Other Budget Movements**

IT Drawdown from reserves		336
IT Drawdown from reserves	Cr	336
Electoral Integrity Programme New Burdens Funding Grant		49
Electoral Integrity Programme New Burdens Funding Grant	Cr	49

**Latest Approved Budget for 2023/24** **33,396**

## **REASONS FOR VARIATIONS**

### **1. Information Systems & Telephony DR £219k**

Information System is forecasting a revenue overspend of £219k, this is made up of the following £121k relating to the BT contract which is very much an estimate as this fluctuate from month to month. Also £98k for the additional Microsoft Enterprise Agreement licences, IT have confirmed that the number of licenses being issued is growing and the budget is not reflecting this.

### **2. Democratic Services CR £102k**

A £75k underspend is currently being forecast on Members Allowances, this is in line with last years outturn, along with a £27k underspend on Democratic Service salary costs, which relates to a vacant post.

### **3. Legal Services Dr £430k**

Due to the increased instructions to legal services on contracts, contract disputes, housing, regeneration, education capital projects and commercial property-related matters arising, the Legal team has had to engage locum lawyers in order to meet the increased demand, thereby putting pressure on the staffing budget. For Q1 we are projecting a £330k overspend on salaries, although we should have a better understanding of the position in Q2 and Q3.

HMCT are introducing additional fees which will put more pressure on the Court Fees budget, with projections of a £100k overspend at this point in the financial year.

### **4. Commissioning Cr £70k**

The underspend of £70k in this area is due to an underspend on staffing.

### **5. Strategy, Performance and Engagement Cr £34k**

The underspend of £70k in this area is due to an underspend on staffing of £112k and this is being offset by an under collection of income of £78k.

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

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempted from the normal requirement to obtain competitive quotations, the Chief Officer has to obtain the agreement of the Director of Resources and Finance Director 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, no virements have been actioned.

## Allocation of Contingency Provision for 2023/24

Item	Original Contingency Provision	Allocations				Variation to Original Contingency Provision
		Previously Approved Items	New Items Requested this Cycle	Items Projected for Remainder of Year	Total Allocations/ Projected for Year	
	£	£	£	£	£	£
<b>General</b>						
Provision for Unallocated Inflation	9,080,000		1,436,000	6,644,000	8,080,000	Cr 1,000,000
Provision for increase in fuel costs	2,624,000			2,624,000	2,624,000	0
Adult Social Care Market Sustainability and Improvement Fund	2,800,000	2,788,000		0	2,788,000	(1) Cr 12,000
General Provision for Risk/Uncertainty	3,500,000			3,500,000	3,500,000	0
SEND Transport Growth	1,000,000	1,000,000		0	1,000,000	(1) 0
Social Care grant re ASC reforms	Cr 720,000			Cr 720,000	Cr 720,000	0
ASC Discharge Fund	Cr 1,083,000		Cr 1,084,000	0	Cr 1,084,000	Cr 1,000
Building Infrastructure Fund	2,000,000		2,000,000	0	2,000,000	0
Property income recovery/rent variations	500,000			500,000	500,000	0
Legal support - children and adults social care	170,000		170,000	0	170,000	0
Revenue impact of Capital Financing Programme	6,600,000		2,500,000	0	2,500,000	Cr 4,100,000
Star Lane works	0		150,000	0	150,000	150,000
Dual running of Civic Centre	0		1,800,000	0	1,800,000	1,800,000
<b>Renewal, Recreation &amp; Housing</b>						
Property Valuation	100,000			100,000	100,000	0
Planning Appeals - change in legislation	60,000			60,000	60,000	0
	<b>26,631,000</b>	<b>3,788,000</b>	<b>6,972,000</b>	<b>12,708,000</b>	<b>23,468,000</b>	<b>Cr 3,163,000</b>
<b>Grants included within Central Contingency Sum</b>						
Rough Sleeping Initiative						
Grant Related Expenditure	104,000			104,000	104,000	0
Grant Related Income	Cr 104,000			Cr 104,000	Cr 104,000	0
Homeless Prevention Initiatives						
Grant Related Expenditure	784,000			784,000	784,000	0
Grant related Income	Cr 784,000			Cr 784,000	Cr 784,000	0
Supporting Families; Investing in Practice Grant						
Grant Related Expenditure	1,030,000			1,030,000	1,030,000	0
Grant related Income	Cr 1,030,000			Cr 1,030,000	Cr 1,030,000	0
<b>Renewal, Recreation &amp; Housing</b>						
2023-24 Accommodation for Ex-Offenders expenditure						
Grant Related Expenditure			74,000	0	74,000	74,000
Grant Related Income			Cr 74,000	0	Cr 74,000	Cr 74,000
2023-24 Rough Sleepers Initiative Grant expenditure						
Grant Related Expenditure			214,000	0	214,000	214,000
Grant Related Income			Cr 214,000	0	Cr 214,000	Cr 214,000
Homelessness Prevention Grant - 2023-24 additional allocation						
Grant Related Expenditure			363,000	0	363,000	363,000
Grant Related Income			Cr 363,000	0	Cr 363,000	Cr 363,000
HPG– 2023/2024 Homes For Ukraine Funding Top-Up						
Grant Related Expenditure			1,117,000	0	1,117,000	1,117,000
Grant Related Income			Cr 1,117,000	0	Cr 1,117,000	Cr 1,117,000
<b>Children, Education and Families</b>						
S31 Leaving Care Uplift Grant						
Grant Related Expenditure			68,000	0	68,000	68,000
Grant Related Income			Cr 68,000	0	Cr 68,000	Cr 68,000
GLA free school meal payment						
Grant Related Expenditure			6,036,000	0	6,036,000	6,036,000
Grant Related Income			Cr 6,036,000	0	Cr 6,036,000	Cr 6,036,000
UKSPF funding						
Grant Related Expenditure		275,000		0	275,000	(3) 275,000
Grant Related Income		Cr 275,000		0	Cr 275,000	Cr 275,000
<b>Adult Social Care</b>						
Work Safe Project						
Grant Related Expenditure		65,000		0	65,000	(2) 65,000
Grant Related Income		Cr 65,000		0	Cr 65,000	Cr 65,000
Market Sustainability and Improvement Fund - Workforce Fund						
- expenditure			1,810,000	0	1,810,000	1,810,000
- income			Cr 1,810,000	0	Cr 1,810,000	Cr 1,810,000
ICB Funding for Hospital Discharges						
- expenditure			1,511,000	0	1,511,000	1,511,000

- income			Cr 1,511,000	0	Cr 1,511,000	Cr 1,511,000
<b>TOTAL CARRIED FORWARD</b>	<b>26,631,000</b>	<b>3,788,000</b>	<b>6,972,000</b>	<b>12,708,000</b>	<b>23,468,000</b>	<b>Cr 3,163,000</b>

**Notes:**

- (1) 29th March 2023
- (2) 17th May 2023
- (3) 5th July 2023

Allocation of Contingency Provision for 2023/24 (continued)

Item	Carried Forward from 2022/23	Allocations				Total Allocations/Projected for Year	Variation to Original Contingency Provision
		Previously Approved Items	New Items Requested this Cycle	Items Projected for Remainder of Year			
	£	£	£	£	£	£	
<b>TOTAL BROUGHT FORWARD</b>	<b>26,631,000</b>	<b>3,788,000</b>	<b>6,972,000</b>	<b>12,708,000</b>	<b>23,468,000</b>	<b>Cr 3,163,000</b>	
<b>Items Carried Forward from 2022/23</b>							
<b>Adult Care &amp; Health Portfolio</b>							
Supplementary Substance Misuse Treatment & Recovery Funding							
Improved Better Care Fund							
- Expenditure	57,217		57,217	0	57,217	(1) 0	
- Income	Cr 57,217		Cr 57,217	0	Cr 57,217	(1) 0	
Improved Better Care Fund (IBCF)							
- Expenditure	1,911,026		1,911,026	0	1,911,026	0	
- Income	Cr 1,911,026		Cr 1,911,026	0	Cr 1,911,026	0	
Public Health							
- Expenditure	2,874,494		2,874,494	0	2,874,494	(1) 0	
- Income	Cr 2,874,494		Cr 2,874,494	0	Cr 2,874,494	(1) 0	
LD/Autism Funding from South East London ICB							
- Expenditure	207,904		207,904	0	207,904	(1) 0	
- Income	Cr 207,904		Cr 207,904	0	Cr 207,904	(1) 0	
Discharge Transformation funding from South East London ICB							
- Expenditure	256,065		256,065	0	256,065	(1) 0	
- Income	Cr 256,065		Cr 256,065	0	Cr 256,065	(1) 0	
Winter Resilience Funding							
- Expenditure	400,000		400,000	0	400,000	(1) 0	
- Income	Cr 400,000		Cr 400,000	0	Cr 400,000	(1) 0	
Omicron Support Fund							
- Expenditure	136,212		136,212	0	136,212	(1) 0	
- Income	Cr 136,212		Cr 136,212	0	Cr 136,212	(1) 0	
Test and Trace service support grant							
- Expenditure	368,138		368,138	0	368,138	(1) 0	
- Income	Cr 368,138		Cr 368,138	0	Cr 368,138	(1) 0	
Charging Reform Implementation Support Grant							
- Expenditure	104,250		104,250	0	104,250	(1) 0	
- Income	Cr 104,250		Cr 104,250	0	Cr 104,250	(1) 0	
Contain Outbreak Management Fund grant							
- Expenditure	54,300		54,300	0	54,300	(1) 0	
- Income	Cr 54,300		Cr 54,300	0	Cr 54,300	(1) 0	
<b>Renewal, Recreation &amp; Housing Portfolio</b>							
Accommodation for ex-Offenders							
- Expenditure	63,669		63,669	0	63,669	(1) 0	
- Income	Cr 63,669		Cr 63,669	0	Cr 63,669	(1) 0	
Defra Biodiversity Net Gain Grant							
- Expenditure	13,216		13,216	0	13,216	(1) 0	
- Income	Cr 13,216		Cr 13,216	0	Cr 13,216	(1) 0	
Homelessness Reduction Grant							
- Expenditure	89,000		89,000	0	89,000	(1) 0	
- Income	Cr 89,000		Cr 89,000	0	Cr 89,000	(1) 0	
New Homes Bonus Funded LEP Programme							
- Expenditure	72,521		72,521	0	72,521	(1) 0	
- Income	Cr 72,521		Cr 72,521	0	Cr 72,521	(1) 0	
Rough Sleepers Initiative							
- Expenditure	42,663		42,663	0	42,663	(1) 0	
- Income	Cr 42,663		Cr 42,663	0	Cr 42,663	(1) 0	
Homes for Ukraine grant							
- Expenditure	5,415,265		2,500,000	2,915,265	5,415,265	(1) 0	
- Income	Cr 5,415,265		Cr 2,500,000	Cr 2,915,265	Cr 5,415,265	(1) 0	
<b>Children, Education and Families Portfolio</b>							
COVID Recovery Grant							
- Expenditure	130,091		130,091	0	130,091	(1) 0	
- Income	Cr 130,091		Cr 130,091	0	Cr 130,091	(1) 0	
National Tutoring Programme							
- Expenditure	21,721		21,721	0	21,721	(1) 0	
- Income	Cr 21,721		Cr 21,721	0	Cr 21,721	(1) 0	
GLA Adult Ed Grant Repayment							

Item	Carried Forward from 2022/23	Allocations				Variation to Original Contingency Provision
		Previously Approved Items	New Items Requested this Cycle	Items Projected for Remainder of Year	Total Allocations/ Projected for Year	
	£	£	£	£	£	£
- Expenditure	15,664		15,664	0	15,664	0
- Income	Cr 15,664		Cr 15,664	0	Cr 15,664	(1) 0
Deed Settlement for Hawes Down Site						
- Expenditure	5,370		5,370	0	5,370	0
- Income	Cr 5,370		Cr 5,370	0	Cr 5,370	(1) 0
Supporting Families; Investing in Practice Grant						
- Expenditure	475,140		475,140	0	475,140	0
- Income	Cr 475,140		Cr 475,140	0	Cr 475,140	(1) 0
Virtual School - CIN Grant Carry Forward						
- Expenditure	82,151		82,151	0	82,151	0
- Income	Cr 82,151		Cr 82,151	0	Cr 82,151	(1) 0
Homes for Ukraine DfE Grant						
- Expenditure	1,187,034		1,187,034	0	1,187,034	0
- Income	Cr 1,187,034		Cr 1,187,034	0	Cr 1,187,034	(1) 0
BAEC upgrading hardware and supporting software - GLA Grant						
- Expenditure	25,575		25,575	0	25,575	0
- Income	Cr 25,575		Cr 25,575	0	Cr 25,575	(1) 0
YOT NHS Money						
- Expenditure	29,300		29,300	0	29,300	0
- Income	Cr 29,300		Cr 29,300	0	Cr 29,300	(1) 0
<b>Resources, Commissioning and Contracts Portfolio</b>						
Electoral Services - New Burdens Grant						
- Expenditure	14,583		14,583	0	14,583	0
- Income	Cr 14,583		Cr 14,583	0	Cr 14,583	(1) 0
Local Digital Cyber Fund						
- Expenditure	49,837		49,837	0	49,837	0
- Income	Cr 49,837		Cr 49,837	0	Cr 49,837	(1) 0
BEIS - EBSS AF and AFP						
- Expenditure	847,200		847,200	0	847,200	0
- Income	Cr 847,200		Cr 847,200	0	Cr 847,200	(1) 0
<b>General</b>						
POCA confiscation orders from the courts	60,637		60,637	0	60,637	(1) 0
HMO income	78,000		78,000	0	78,000	(1) 0
Legal Services - ULEZ	140,000		140,000	0	140,000	(1) 0
Local Plan Implementation	120,000		120,000	0	120,000	(1) 0
Highways income	245,000		245,000	0	245,000	(1) 0
<b>Total Carried Forward from 2022/23</b>	<b>643,637</b>	<b>0</b>	<b>643,637</b>	<b>0</b>	<b>643,637</b>	<b>0</b>
<b>GRAND TOTAL</b>	<b>27,274,637</b>	<b>3,788,000</b>	<b>7,615,637</b>	<b>12,708,000</b>	<b>24,111,637</b>	<b>Cr 3,163,000</b>

**Notes:**

(1) Various PDS reports across the Portfolios



Description	2023/24 Latest Approved Budget £'000	Variation To 2023/24 Budget £'000	Potential Impact in 2024/25
Housing Allocations and Accommodation- Temporary Accommodation	6,418	2,176	The full year effect of Temporary Accommodation is currently estimated to be £4,684k. This will be reduced by planned transformation savings totalling £1,337k which have been identified for 2024-25 to provide a longer term alternative to expensive nightly paid accommodation. This estimate only takes into account the projected activity to the end of this financial year and not any projected growth in client numbers beyond that point.
Supporting People	1,070	Cr 148	The full year effect of Supporting People is currently estimated to be a credit of £148k. This is a result of the estimated savings from retendering of the contracts that has taken place.
Assessment and Care Management - Care Placements	31,308	450	The full year impact of the current overspend is estimated at £3,095k . Of this amount Cr £57k relates to residential and nursing home placements for 65+ and Dr £308k for 18-64's. Domiciliary care & direct payments 65+ is £2,410k overspent and for 18-64 £939k. This is based on client numbers as at the end of June 2023. There is also a £4,421k FYE of current level of Discharge to Assess costs. It assumed that management action of £2,331k continues into future years and that discharge funding also continues at current level.
Learning Disabilities - including Care Placements, Transport and Care Management	42,273	Cr 758	The full year effect (FYE) is estimated at a net overspend of £456k. This figure is greater than the in-year underspend as demand-related growth pressures, for example transition and increased client needs, have only a part year impact in 2023/24 but a greater financial impact in a full year. Given the early stage in the financial year and the uncertainties that remain in relation to the delivery of savings and the transition cohort, the FYE is likely to change as the year progresses and things become clearer.
Mental Health - Care Placements	6,598	758	A full year overspend of £800k is anticipated on Mental Health care packages , with residential , nursing and supported living placements £635k overspent and domiciliary care and direct payments £165k overspent.
Children's Social Care	49,440	2,378	The overall full year effect of the Children's Social Care overspend is a net £2,200k, analysed as Residential Care, Fostering and Adoption of £500k, Leaving Care costs of £500k, and CWD costs of £1,400k.

**SECTION 106 RECEIPTS**

Section 106 receipts are monies paid to the Council by developers as a result of the grant of planning permission where works are required to be carried out or new facilities provided as a result of that permission (e.g. provision of affordable housing, healthcare facilities & secondary school places). The sums are restricted to being spent only in accordance with the agreement concluded with the developer.

The major balances of Section 106 receipts held by the Council are as follows:

<b>31st March 2023 £000</b>	<b>Service</b>	<b>Income £000</b>	<b>Expenditure £000</b>	<b>Transfers to/(from) Capital £000</b>	<b>Actual as at 31st March 2024 £000</b>
<b><u>Revenue</u></b>					
258	Highway Improvement Works				258
135	Road Safety Schemes				135
8	Local Economy & Town Centres				8
70	Parking				70
74	Education				74
1,247	Healthcare Services	5	257		995
10	Community Facilities				10
88	Housing	14			102
852	Other	4			856
<b>2,742</b>		<b>23</b>	<b>257</b>	<b>-</b>	<b>2,508</b>
<b><u>Capital</u></b>					
5,078	Education				5,078
20	Highways				20
2,452	Housing				2,452
686	Local Economy & Town Centres				686
0	Other				-
<b>8,236</b>		<b>0</b>	<b>0</b>	<b>-</b>	<b>8,236</b>
<b>10,978</b>		<b>23</b>	<b>257</b>	<b>0</b>	<b>10,744</b>

# Agenda Item 6

Report No.  
FSD23056

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE  
COUNCIL

**Date:** Executive on 20 September 2023  
Council on 16 October 2023

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

**Title:** CAPITAL PROGRAMME MONITORING – QUARTER 1 2023/24

**Contact Officer:** Sean Cosgrove, Principal Accountant (Capital and Treasury)  
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**Chief Officer:** Peter Turner, Director of Finance  
Tel: 020 8313 4338 E-mail: [peter.turner@bromley.gov.uk](mailto:peter.turner@bromley.gov.uk)

**Ward:** All

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1. Reason for report

This report summarises the current position on capital expenditure and receipts following the first quarter of 2023/24 and seeks the Executive's approval to a revised capital programme.

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2. RECOMMENDATION(S)

2.1 The Executive is requested to:

- (a) note the report, including a total re-phasing of £60,366k from 2023/24 into future years, and agree a revised capital programme.
- (b) note the need going forward, given the full utilisation of capital receipts by 2025/26 forecast in this report and the limited options to replenish this resource in the future, to consider funding options for all new schemes, including external borrowing where appropriate.
- (c) recommend that Council approve the following amendment to the capital programme (paragraph 3.3)
  - (i) increase of a total £2,656k in relation to Disabled Facilities Grant (£2,443k original award plus £213k supplementary award)
  - (ii) increase of £55k in relation to Devolved Formula Capital
- (d) note that a report elsewhere on the agenda requests a supplementary capital estimate of £4,250k for additional costs associated with the move to Churchill Court, to include the use of £2,250k from the Growth Fund

**(e) note that a report elsewhere on the agenda requests the addition of £25,500k for a housing scheme at Bromley North and £15,200k for a housing scheme at Beckenham**

**2.2 Council is requested to approve the following amendments to the capital programme (paragraph 3.3)**

**(a) increase of a total £2,656k in relation to Disabled Facilities Grant (£2,443k original award plus £213k supplementary award)**

### Impact on Vulnerable Adults and Children:

1. Summary of Impact: None arising from this report.
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### Corporate Policy

1. Policy Status: Existing Policy: capital programme monitoring and review is part of the planning and review process for all services. Capital schemes help to maintain and improve the quality of life in the borough. Effective asset management planning (AMP) is a crucial corporate activity if a local authority is to achieve its corporate and service aims and objectives and deliver its services. For each of our portfolios and service priorities, the Council reviews its main aims and outcomes through the AMP process and identify those that require the use of capital assets. The primary concern is to ensure that capital investment provides value for money and matches the Council's overall priorities as set out in the Community Plan and in "Making Bromley Even Better". The capital review process requires Council directors to ensure that bids for capital investment provide value for money and match Council plans and priorities.
  2. BBB Priority: Excellent Council
- 

### Financial

1. Cost of proposal: Total new estimates of £47,661k over the five years 2023/24 to 2027/28
  2. Ongoing costs: Not applicable
  3. Budget head/performance centre: Capital programme
  4. Total current budget for this head: Total £310.9m over the five years 2023/24 to 2027/28
  5. Source of funding: Capital grants, capital receipts and earmarked revenue contributions
- 

### Personnel

1. Number of staff (current and additional): 1FTE
  2. If from existing staff resources, number of staff hours: 36 hours per week
- 

### Legal

1. Legal Requirement: Non-Statutory – Government Guidance
  2. Call-in: Not Applicable
- 

### Procurement:

1. Summary of Procurement Implications: None arising from this report.
- 

### Customer Impact

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

### Ward Councillor Views

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

### 3. COMMENTARY

#### Capital expenditure

- 3.1 Appendix A sets out the proposed changes to the capital programme following a monitoring exercise carried out after the first quarter of 2023/24. The base position is the programme approved by the Executive on 18 January 2023, as amended by variations approved at subsequent Executive meetings. Should the changes proposed in this report be approved, the total capital programme 2023/24 to 2027/28 would increase by £39,920k (the net of £47,661k increase of changes requiring approval and a total decrease of £7,714k for changes not requiring approval) over the five years 2023/24 to 2027/28.

The variations are summarised in the table below with further detail set out in Appendix A.

	2023/24	2024/25	2025/26	2026/27	2027/28	Total
	£'000	£'000	£'000	£'000	£'000	£'000
Programme approved by Executive 18/01/23	79,302	33,098	34,744	10,150	0	157,294
Net underspend 22/23 rephased to 23/24	99,645					99,645
<b>Sub-total - approved programme prior to Q1 monitoring</b>	<b>178,947</b>	<b>33,098</b>	<b>34,744</b>	<b>10,150</b>	<b>0</b>	<b>256,939</b>
<b>Variations requiring the approval of Executive</b>						
Disabled Facilities Grant (main award)	2,443					2,443
Disabled Facilities Grant (supplementary award)	213					213
Devolved Formula Capital	55					55
Proposed housing scheme: Bromley North	6,283	12,150	7,067			25,500
Proposed housing scheme: Beckenham	631	7,200	6,600	769		15,200
Supplementary estimate for Churchill Court		4,250				4,250
<b>Sub-total - variations requiring approval</b>	<b>9,625</b>	<b>23,600</b>	<b>13,667</b>	<b>769</b>	<b>0</b>	<b>47,661</b>
<b>Variations not requiring the approval of Executive</b>						
Changing Places Fund - first round (RRH)	220					220
Changing Places Fund - second round (RRH)	185					185
West Wickham Library and housing (RRH)	3,959					3,959
Supplementary estimate for York Rise: previously approved Jun 2021 (RRH)	2,072					2,072
Crystal Palace Park (RRH)	304					304
Chislehurst Library (RRH)		Cr 1,000				Cr 1,000
Digital infrastructure (RRH)	49					49
Non-turf cricket pitches (RRH)	40					40
Basic Need - additional s106 (CEF)	43					43
Investment Fund utilised for housing schemes	Cr 11,688					Cr 11,688
Adjustments of TfL estimates (grant funded) (ECS)	Cr 1,425	Cr 500				Cr 1,925
Rephasing between 23/24 and future years	Cr 60,366	30,354	24,669	5,343	0	0
<b>Sub-total - variations not requiring approval</b>	<b>Cr 66,607</b>	<b>28,854</b>	<b>24,669</b>	<b>5,343</b>	<b>0</b>	<b>Cr 7,741</b>
<b>Revised capital programme</b>	<b>121,965</b>	<b>85,552</b>	<b>73,080</b>	<b>16,262</b>	<b>0</b>	<b>296,859</b>
Less: estimated further slippage	Cr 50,000	20,000	20,000	10,000		0
Provision: uncertainty and future schemes		3,000	3,000	4,000	4,000	14,000
<b>Projected programme for capital financing</b>	<b>71,965</b>	<b>108,552</b>	<b>96,080</b>	<b>30,262</b>	<b>4,000</b>	<b>310,859</b>

#### 3.2 Variations approved at subsequent Executive meetings

##### *Changing Places Fund*

In March 2022, the Council was awarded £220k grant funding from the Department of Levelling Up, Housing and Communities to deliver four Changing Places facilities at agreed locations across the borough. The use of funds, with pre-decision scrutiny, was agreed by the Portfolio Holder in October 2022. At their meeting in February 2023, Executive granted formal

approval to accept and spend the grant monies in line with parameters of the funding application. A further £185k was awarded, and approved, at the July meeting.

#### *West Wickham Library and housing*

At the February 2023 meeting of the Executive, Members approved a supplementary capital estimate for this scheme of £3,959k, to cover construction price inflation since November 2021 (when the project was originally added to the capital programme) and an increased contingency allowance. The financing was also restructured.

#### *York Rise housing*

At their meeting of June 2021, the Executive approved the supplementary estimate of net £2,072k to be added to the York Rise modular housing scheme. This adjustment had not been reflected in the capital programme and is therefore added here.

#### *Crystal Palace Park*

An urgent report was taken to the March 2023 meeting of the Executive, asking for approval to accept a development grant of £304k from the National Lottery Heritage Fund to increase the scope of the Crystal Palace Park capital programme. This was subsequently approved.

#### *Chislehurst Library*

This scheme has been removed from the capital programme in line with the report to the meeting of the ERC PDS of November 2022.

#### *Digital infrastructure*

At the July 2023 meeting of the Executive, a new one-off capital budget of £49k, funded from the Council's Growth Fund, for connecting three new CCTV camera sites and one existing dark fibre network extension, was approved.

#### *Non-turf cricket pitches*

At their July 2023 meeting, Executive approved the addition to the capital programme of four non-turf cricket pitches in parks across the borough, funded by a grant from the London Cricket Trust.

#### *Basic Need*

At the March 2023 meeting of the Executive, formal approval was given to add a further £43k of section 106 funding to the Basic Need programme.

#### *Budget realignment*

In addition to the changes to the capital programme approved by the Executive at their meetings since the last monitoring report in January 2023, the budgets for TfL-funded schemes have been revised to reflect estimated funding levels and the Property Investment Fund has been revised to reflect the use of the Investment Fund for housing schemes.

### 3.3 Variations requiring the approval of the Executive (£47,661k increase)

#### *Disabled Facilities Grant*

A total of £2,656k for the Disabled Facilities Grant (DFG) has been received for 2023/24, comprising a main award of £2,443k and a supplementary award of £213k, and therefore approval is sought to add this to the relevant capital scheme. DFG is provided for the provision of adaptations to disabled people's homes to help them to live as independently and safely as possible. The funding will enable additional schemes to provide physical improvements to clients' home environments and to assist with creating safer and healthier homes and reduce admissions to hospital.

### *Devolved Formula Capital*

Bromley was allocated £55k of Devolved Formula Capital (DFC) as part of 2023/24 school condition allocations. Approval is therefore sought to add this to the capital programme.

#### *Housing schemes – Bromley North and Beckenham*

A report elsewhere on this agenda requests approval of supplementary estimates totalling £40,735k for two new housing schemes at Bromley North (£25,500k) and Beckenham (£15,200k), the costs to be met from a combination of GLA grant, section 106 receipts, the proceeds from private sales (Bromley North) and external borrowing.

#### *Churchill Court*

A report elsewhere on this agenda requests approval of a supplementary estimate of £4,250k to the Churchill Court scheme in 2024/25 to cover inflationary pressures. The costs of this increase will be met from £2,000k from the 2023/24 central contingency, and £2,250k from the Growth Fund.

### 3.4 Scheme re-phasing

The 2022/23 capital outturn was reported to the Executive on 5 July 2023. The final capital outturn for the year was £21.2m compared to a revised budget of £120.8m. The variation of £99.6m was re-phased from 2022/23 into 2023/24.

In this quarter's monitoring exercise, slippage of £60.4m has been identified and this has been re-phased from 2023/24 into future years to reflect the latest estimates of when expenditure is likely to be incurred. This has no overall impact on the total approved estimate for the capital programme. Further details are provided in Appendix B.

#### **Capital receipts**

- 3.6 Details of the receipts forecast in the years 2023/24 to 2027/28 are included in Appendix C to this report to be considered under part 2 proceedings of the meeting. Actual receipts from asset disposals totalled £0.1m in 2022/23, lower than the estimated figure of £22.0m reported to the Executive in January 2023, as a result of the sale of The Glades shopping centre slipping into the current financial year. No receipts yet to be identified in later years are currently included in the forecast.

#### **Financing of the capital programme**

- 3.7 A capital financing statement is attached at Appendix C and the following table summarises the estimated impact on balances of the revised programme and revised capital receipt projections which, as noted above, reflect assumptions on the level and timing of disposals. This appendix also assumes the full utilisation of £10.0m from reserves, as agreed in principle by Executive in January 2023. This includes separate funding arrangements for the revised capital programme for Churchill Court. Total balances would reduce from £51.8m (General Fund £20.0m; capital receipts £31.8m) at the end of 2022/23 to £20.0m by the end of 2027/28 (General Fund £20.0m, capital receipts £0.0m). Therefore, for any significant future capital schemes not fully funded by grants/contributions or revenue, Executive will need to give full consideration to funding options, and this is likely to include external borrowing to maintain a sustainable position in the short to medium term. This position will be kept under close review and reflected in future reports to the Executive. In particular, given the current volatility in interest rates, it is likely that internal borrowing will be used as an interim measure before external borrowing is utilised.

	<b>Balance 01/04/23 £m</b>	<b>Estimate 31/03/28 £m</b>
General Fund	20.0	20.0
Capital receipts	31.8	0.0
	<b>51.8</b>	<b>20.0</b>



## Operational Property Review

3.9 When the Operational Property Review (OPR) was added to the Council's capital programme in January 2023 it was presented for monitoring purposes as a single overarching project, with a separate budget for leisure centres. Subsequent work has now disaggregated this larger budget and it has been decided to reflect projects in the appropriate portfolio. The budgets shown also include an element of the delivery budget, which has been apportioned out across schemes for reporting; and this has now been added to the original budgets. The following table shows these budgets on a scheme-by-scheme basis, along with total spend to date.

Scheme	Portfolio	Approved estimate	Delivery estimate	Total estimate	22/23 estimate	23/24 estimate	24/25 estimate	25/26 estimate	26/27 estimate	Spend to date
		£m	£m	£m	£m	£m	£m	£m	£m	£m
Adult day centres/care homes	ACH	12.110	0.743	12.853	0.000	1.378	5.988	5.487	0.000	0.000
<b>ACH sub-total</b>		<b>12.110</b>	<b>0.743</b>	<b>12.853</b>	<b>0.000</b>	<b>1.378</b>	<b>5.988</b>	<b>5.487</b>	<b>0.000</b>	<b>0.000</b>
Children and family centres	CEF	6.700	0.413	7.113	0.000	0.099	3.507	3.507	0.000	0.000
SEN services	CEF	0.470	0.030	0.500	0.000	0.007	0.247	0.246	0.000	0.000
Youth Offending Service	CEF	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Youth Centres	CEF	3.400	0.210	3.610	0.000	0.050	1.780	1.780	0.000	0.000
Adult education centres	CEF	7.400	0.453	7.853	0.000	0.109	3.872	3.872	0.000	0.000
<b>CEF sub-total</b>		<b>17.970</b>	<b>1.106</b>	<b>19.076</b>	<b>0.000</b>	<b>0.265</b>	<b>9.406</b>	<b>9.405</b>	<b>0.000</b>	<b>0.000</b>
Surface car parks	RCCM	1.000	0.060	1.060	0.000	0.530	0.530	0.000	0.000	0.000
Cemetery properties	RCCM	0.860	0.052	0.912	0.000	0.012	0.450	0.450	0.000	0.000
<b>RCCM sub-total</b>		<b>1.860</b>	<b>0.112</b>	<b>1.972</b>	<b>0.000</b>	<b>0.542</b>	<b>0.980</b>	<b>0.450</b>	<b>0.000</b>	<b>0.000</b>
Traveller sites	RRH	3.000	0.184	3.184	0.000	0.250	0.350	1.000	1.584	0.000
Libraries	RRH	10.770	0.355	11.125	0.000	1.181	5.106	2.579	2.259	0.000
Leisure centres (Gp 2)	RRH	27.100	0.500	27.600	0.027	1.623	8.650	8.650	8.650	0.131
<b>RRH sub-total</b>		<b>40.870</b>	<b>1.039</b>	<b>41.909</b>	<b>0.027</b>	<b>3.054</b>	<b>14.106</b>	<b>12.229</b>	<b>12.493</b>	<b>0.131</b>
<b>Total - schemes</b>		<b>72.810</b>	<b>3.000</b>	<b>75.810</b>	<b>0.027</b>	<b>5.239</b>	<b>30.480</b>	<b>27.571</b>	<b>12.493</b>	<b>0.131</b>
Contingency budget		4.000	0.000	4.000	0.000	4.000	0.000	0.000	0.000	0.000
Risk provision - Churchill		5.000	0.000	5.000	0.000	5.000	0.000	0.000	0.000	0.000
<b>Grand total - all programme</b>		<b>81.810</b>	<b>3.000</b>	<b>84.810</b>	<b>0.027</b>	<b>14.239</b>	<b>30.480</b>	<b>27.571</b>	<b>12.493</b>	<b>0.131</b>

## Investment Fund and Growth Fund

- 3.10 To help support the achievement of sustainable savings and income, the Council has set aside funding in the Investment Fund earmarked reserve (formerly known as the Economic Development and Investment Fund) to contribute towards the Council's economic development and investment opportunities. To date, total funding of £84.5m has been placed in the Investment Fund earmarked reserve, with a further £20.3m of capital receipts earmarked to supplement this, and £39.2m placed in the Growth Fund earmarked reserve.
- 3.11 Appendix D provides a detailed analysis of the funds dating back to their inception in September 2011. To date, schemes totalling £119.0m have been approved (£98.0m on the Investment Fund, and £23.2m on the Growth Fund), and the uncommitted balances as at end June 2023 stand at £6.8m for the Investment Fund and £15.9m for the Growth Fund.

### Feasibility works – property disposals

- 3.13 At its meeting on 24 May 2017, Executive agreed to the creation of a new earmarked reserve with an initial allocation of £250k funded from the Growth Fund to allow for the commissioning of feasibility works against specific sites, so as to inform the Executive of sites' viability for disposal or re-development and potential scheme optimisation, together with an appraisal of worth.
- 3.14 Members requested that an update from strategic property be included in quarterly capital monitoring reports. This information, which remains unchanged from January's update, is provided in Appendix F.

### Section 106 receipts

- 3.15 In addition to capital receipts from asset disposals, the Council holds a number of section 106 contributions received from developers. These are made to the Council as a result of the granting of planning permission and are restricted to being spent on capital works in accordance with the terms of agreements reached between the Council and the developers. These receipts are held as a receipt in advance on the Council's balance sheet, the balance of which stood at £6,747k as at 30 June 2023, and will be used to finance capital expenditure from 2023/24 onwards. The current position on capital section 106 receipts (excluding commitments) is shown in the following table:

Agreed service area	Balance 31/03/23 £'000	Receipts Q1 23/24 £'000	Expenditure Q1 23/24 £'000	Balance 30/06/23 £'000
Housing provision	1,301	0	0	1,301
Education	4,734	43	0	4,777
Highways	20	0	0	20
Local economy	647	0	0	647
Other	2	0	0	2
<b>Total</b>	<b>6,704</b>	<b>43</b>	<b>0</b>	<b>6,747</b>

- 3.16 The Council's budgets are limited and, where a developer contribution can be secured, this will be required as a contribution towards projects, notwithstanding any other allocation of resources contained in the Council's spending plans.

### Post-completion reports

- 3.17 Under approved capital programme procedures, capital schemes should be subject to a post-completion review within one year of completion. These reviews should compare actual expenditure against budget and evaluate the achievement of the scheme's non-financial objectives. Post-completion reports on the following schemes are due to be submitted to the relevant PDS committees and budget holders have been notified:

- Upgrade of Core Network Hardware
- Replacement of Storage Area Network
- Rollout of Windows 7 and Office 2000
- Replacement of MD110 Telephone Switch
- Windows Server 2003 Replacement Programme
- Early Education for Two-Year-Olds
- 30 Hour Funded Childcare IT Solution
- Performance Management/Children's Services IT scheme
- Bromley My Time Investment Fund
- Relocation of Exhibitions - Bromley Museum
- Norman Park Athletics Track

#### **4 POLICY IMPLICATIONS**

4.1 Capital programme monitoring and review is part of the planning and review process for all services.

#### **5 FINANCIAL IMPLICATIONS**

5.1 These are contained in the main body of the report and in the appendices. Attached as Appendix C is a capital financing statement, which gives a long-term indication of how the revised programme would be financed if all the proposed changes were approved and if all the planned receipts were achieved. The financing projections assume approval of the revised capital programme recommended in this report.

<b>Non-applicable sections:</b>	Legal, Personnel & Procurement Implications, Impact on Vulnerable Adults and Children
Background documents: (access via Contact Officer)	Capital programme monitoring Q3 2022/23 and capital strategy 2023-2027 (Executive 18/01/23) Capital programme outturn 2022/23 (Executive 05/07/23)

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## APPENDIX A - VARIATION SUMMARY

### CAPITAL PROGRAMME MONITORING - Q1 - SUMMARY OF VARIATIONS FROM APPROVED PROGRAMME

Variations on individual schemes	Date of meeting	Revised 2023/24	Revised 2024/25	Revised 2025/26	Revised 2026/27	Revised 2027/28	Total
		£'000	£'000	£'000	£'000	£'000	£'000
<b>Current approved capital programme</b>							
Programme approved by Executive 18/01/2023	Exec 18/01/23	79,302	33,098	34,744	10,150	0	157,294
Net underspend 22/23 rephased to 23/24	Exec 05/07/23	99,645					99,645
<b>Sub-total - approved programme prior to Q1 monitoring</b>		<b>178,947</b>	<b>33,098</b>	<b>34,744</b>	<b>10,150</b>	<b>0</b>	<b>256,939</b>
<b>Variations in the estimated cost of approved schemes</b>							
<i>(i) Variations previously approved by the Executive</i>							
Chislehurst Library redevelopment	ERC PDS 23/11/22		Cr 1,000				Cr 1,000
West Wickham library and housing improvements (RRH)	Exec 08/02/23	3,959					3,959
Changing Places Fund - first round (RRH)	Exec 29/03/23	220					220
Crystal Palace Park (RRH)	Exec 29/03/23	304					304
Addition to Basic Need (s106) (CEF)	Exec 29/03/23	43					43
Digital infrastructure - Strategic Investment Fund (RRH)	Exec 05/07/23	49					49
Non-turf cricket pitches (NTPs)	Exec 05/07/23	40					40
Changing Places Fund - second round (RRH)	Exec 05/07/23	185					185
		<b>4,800</b>	<b>Cr 1,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,800</b>
<i>(ii) Variations requiring the approval of the Executive</i>							
Addition to Disabled Facilities Grant - main award (RRH)		2,443					2,443
Addition to Disabled Facilities Grant - supplementary award (RRH)		213					213
Addition to Devolved Formula Capital (CEF)		55					55
Proposed housing scheme - Bromley North (RRH)		6,283	12,150	7,067			25,500
Proposed housing scheme - Beckenham (RRH)		631	7,200	6,600	769		15,200
Supplementary estimate for Churchill Court (RCCM)			4,250				4,250
		<b>9,625</b>	<b>23,600</b>	<b>13,667</b>	<b>769</b>	<b>0</b>	<b>47,661</b>
<i>(iii) Variations not requiring the approval of the Executive</i>							
Investment Fund used for housing schemes		Cr 11,688					Cr 11,688
Supplementary estimate for York Rise housing - previously approved Jun 2021 (RRH)		2,072					2,072
Adjustments to TfL estimates (grant funded) (ECS)		Cr 1,425	Cr 500				Cr 1,925
Net rephasing between 23/24 and future years - Q1		Cr 60,366	30,354	24,669	5,343		0
		<b>Cr 71,407</b>	<b>29,854</b>	<b>24,669</b>	<b>5,343</b>	<b>0</b>	<b>Cr 11,541</b>
<b>TOTAL REVISED CAPITAL PROGRAMME</b>		<b>121,965</b>	<b>85,552</b>	<b>73,080</b>	<b>16,262</b>	<b>0</b>	<b>296,859</b>
Less: estimated further slippage projection		Cr 50,000	20,000	20,000	10,000	0	0
Add: provision for uncertainty and future schemes			3,000	3,000	4,000	4,000	14,000
<b>TOTAL TO BE FINANCED</b>		<b>71,965</b>	<b>108,552</b>	<b>96,080</b>	<b>30,262</b>	<b>4,000</b>	<b>310,859</b>

**CAPITAL PROGRAMME MONITORING - Q1 2023/24 - SCHEME REPHASING**

Variations on individual schemes	2023/24	2024/25	2025/26	2026/27	TOTAL
	£'000	£'000	£'000	£'000	£'000
<b><u>Rephasing of schemes</u></b>					
Basic Need (CEF)	Cr 18,000	10,000	8,000		0
Winter maintenance - equipment replacement (ECS)	Cr 115	115			0
Winter maintenance - gritter replacement (ECS)	Cr 160	160			0
Crystal Palace Park - next steps	Cr 3,500	2,000	1,500		0
Disabled Facilities Grant (RRH)	Cr 5,500	2,000	2,000	1,500	0
Site G (RRH)	Cr 16,800	8,400	8,400		0
Property Investment Fund (RCCM)	Cr 6,831	3,416	3,415		0
Operational Property Review (all portfolios)	Cr 9,460	4,263	1,354	3,843	0
<b>TOTAL REPHASING ADJUSTMENTS</b>	<b>Cr 60,366</b>	<b>30,354</b>	<b>24,669</b>	<b>5,343</b>	<b>0</b>

**CAPITAL FINANCING STATEMENT - Q1 - ALL RECEIPTS**

(NB. Assumes all capital receipts - see below)

	2023-24	2024-25	2025-26	2026-27	2027-28
	Estimate	Estimate	Estimate	Estimate	Estimate
	£'000	£'000	£'000	£'000	£'000
<b><u>Summary financing statement</u></b>					
Capital grants	21,183	20,806	10,000	1,500	0
Other external contributions	18,949	3,441	0	0	0
Usable capital receipts	10,149	66,859	53,390	0	0
Internal borrowing	1,424	8,400	8,400	0	0
Revenue contributions	14,337	4,250	0	0	0
Borrowing (external)*	5,923	4,796	24,290	28,762	4,000
<b>Total expenditure</b>	<b>71,965</b>	<b>108,552</b>	<b>96,080</b>	<b>30,262</b>	<b>4,000</b>
<b><u>Usable capital receipts</u></b>					
Balance brought forward	31,787	64,999	32,590	0	0
New usable receipts	50,725	42,850	29,200	0	0
	82,512	107,849	61,790	0	0
Capital financing	Cr 10,149	Cr 66,859	Cr 53,390	0	0
Repayment of internal borrowing	Cr 7,364	Cr 8,400	Cr 8,400	0	0
<b>Balance carried forward</b>	<b>64,999</b>	<b>32,590</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b><u>Internal borrowing</u></b>					
Balance brought forward	Cr 5,940	0	0	0	0
Capital financing	Cr 1,424	Cr 8,400	Cr 8,400	0	0
Repaid from new capital receipts	7,364	8,400	8,400	0	0
Balance carried forward	0	0	0	0	0
<b><u>General Fund</u></b>					
Balance brought forward	20,000	20,000	20,000	20,000	20,000
Less: capital financing	0	0	0	0	0
Less: use for revenue budget	0	0	0	0	0
Balance carried forward	20,000	20,000	20,000	20,000	20,000
<b>TOTAL AVAILABLE RESERVES</b>	<b>84,999</b>	<b>52,590</b>	<b>20,000</b>	<b>20,000</b>	<b>20,000</b>
<p>The future transfer of land from the General Fund to the HRA does not result in a capital receipt, as the HRA is not a separate legal entity but the effect would be similar in that it would mean that the Council can incur more capital expenditure without needing to borrow. Although the accounting arrangements are 'technical' in order to meet statutory accounting requirements the effective transfer of land has the same impact as generating a capital receipt of an equivalent value and therefore the equivalent value can be used to fund future capital schemes.</p>					
<p>Notes/assumptions:</p> <p>*External borrowing - housing schemes. Given the volatility in interest rates, internal borrowing may be used as an interim measure where suitable. Internal borrowing is also being used to fund Site G until capital receipts pay back.</p> <p>Capital receipts - includes figures reported by Property Division as shown in Appendix E</p>					

<b>Investment Fund</b>	£'000
<b>Revenue Funding:</b>	
Approved by Executive 7th September 2011	10,000
Approved by Council 27th February 2013	16,320
Approved by Council 1st July 2013	20,978
Approved by Executive 10th June 2014	13,792
Approved by Executive 15th October 2014	90
Approved by Executive 26th November 2014 (Transfer to Growth Fund)	Cr 10,000
New Home Bonus (2014/15)	5,040
Approved by Executive 11th February 2015 (New Homes Bonus)	4,400
Approved by Executive 10th June 2015	10,165
Approved by Executive 2nd December 2015 (New Homes Bonus)	141
Approved by Executive 10th Feb 2016 (New Homes Bonus)	7,482
Approved by Executive 6th December 2017	3,500
Approved by Executive 21st May 2018	2,609
	84,517
<b>Capital Funding*:</b>	
Approved by Executive 11th February 2015 (general capital receipts)	15,000
Approved by Executive 2nd December 2015 (sale of Egerton Lodge)	1,216
Approved by Executive 7th November 2017 (Disposal of 72-76 High St)	4,100
	20,316
Total Funding Approved:	104,833
<b>Property Purchase</b>	
Approved by Executive 7th September 2011 (95 High St)	Cr 1,620
Approved by Executive 6th December 2012 (98 High St)	Cr 2,167
Approved by Executive 5th June 2013 (72-76 High St)	Cr 2,888
Approved by Executive 12th June 2013 (104 - 108 High St)	Cr 3,150
Approved by Executive 12th February 2014 (147 - 153 High St)	Cr 18,755
Approved by Executive 19th December 2014 (27 Homesdale)	Cr 3,938
Approved by Executive 24/03/15 (Morrisons)	Cr 8,672
Approved by Executive 15/07/15 (Old Christchurch)	Cr 5,362
Approved by Executive 15/07/15 (Tilgate)	Cr 6,746
Approved by Executive 15/12/15 (Newbury House)	Cr 3,307
Approved by Executive 15/12/15 (Unit G - Hubert Road)	Cr 6,038
Approved by Executive 23/03/16 (British Gas Training Centre, Thatcham)	Cr 3,666
Approved by Executive 15/06/16 (C2 and C3)	Cr 6,394
Approved by Executive 14/03/17 (Trinity House)	Cr 6,236
Approved by Executive 01/12/17 (54 Bridge Street, Peterborough)	Cr 3,930
	Cr 82,869
<b>Other Schemes</b>	
Approved by Executive 20th November 2013 (Queens's Garden)	Cr 990
Approved by Executive 15th January 2014 (Bromley BID Project)	Cr 110
Approved by Executive 26th November 2014 (BCT Development Strategy)	Cr 135
Approved by Executive 2nd December 2015 (Bromley Centre Town)	Cr 270
Approved by Executive 15th June 2016 (Glades Shopping Centre)	Cr 400
Approved by Executive 11th January 2017 (Disposal of Small Halls site, York Rise)	Cr 46
Approved by Executive 10th July 2019 (Modular Homes at York Rise site)	Cr 3,500
Approved by Executive 2nd August 2019 (Provision of Housing in Burnt Ash Lane)	Cr 2,989
Approved by Executive 10/02/21 - property acquisition scheme	Cr 6,000
Valuation for 1 Westmoreland Rd	Cr 5
Valuation for Biggin Hill - West Camp	Cr 10
Growth Fund Study	Cr 170
Crystal Park Development work	Cr 200
Civic Centre for the future	Cr 50
Strategic Property cost	Cr 258
Total further spending approvals	Cr 15,133
Uncommitted Balance on Investment Fund	6,831

\* Executive have approved the use of specific and general capital receipts to supplement the Investment Fund



<b>Growth Fund:</b>	£'000
<b>Funding:</b>	
Approved by Executive 26th November 2014 (Transfer from Investment Fund)	10,000
Approved by Executive 2nd December 2015	6,500
Approved by Executive 23rd March 2016	6,000
Approved by Executive 15th June 2016	7,024
Approved by Executive 22nd March 2017	4,000
Subject to approval by Executive 20th June 2017 (Provisional final accounts 2016/17)	3,311
Approved by Executive 21st May 2018	2,319
<b>Total funding approved</b>	<b>39,154</b>
<b>Schemes Approved and Committed</b>	
Approved by Executive 24th March 2015 (Housing Zone Bid (Site G))	Cr 2,700
Approved by Executive 24th March 2015 ((Site G) - Specialist)	Cr 200
Approved by Executive 18th May 2016 (Feasibility Studies and Strategic Employme	Cr 180
Approved by Executive 18th May 2016 (Broadband Infrastructure Investment)	Cr 50
Approved by Executive 20th Jul 2016 (BID - Penge & Beckenham)	Cr 110
Approved by Executive 1st Nov 2016 (19-25 Market Square)	Cr 10,705
Approved by Executive 1st Nov 2016 (63 Walnuts)	Cr 3,804
Approved by Executive 22nd March 2017 (Council 10th April 2017) - Bromley Town Centre Public Realm improvement Scheme	Cr 2,844
Approved by Executive 7th November 2017 - Bromley Town Centre and Public Realm	Cr 464
Approved by Executive 17th October 2018 (Bromley Town Centre - Mirrored Canopies & Shops)	Cr 415
Approved by Executive 22nd March 2017 - Project Officer cost Bromley Town Centre Public Realm improvement Scheme	Cr 40
Approved by Executive 22nd March 2017 - Community Initiative	Cr 15
Approved by Executive 24th May 2017 - Feasibility Works/Property Disposal Renewal Team Cost	Cr 250
	Cr 310
Approved by Executive 28th November 2018 (Housing Development Feasibility)	Cr 100
Approved by Executive 27th March 2019 (West Wickham BID)	Cr 75
Approved by Executive 21st May 2019 (Specialist advice for setting up local Housing company)	Cr 100
Noted by Executive 12th February 2020 - £1.5m of s106 to replace Growth Fund allocation for Bromley Town Centre capital scheme	1,500
Approved by Executive April 1st 2020 - Consultancy services for advice on urban design scheme	Cr 50
	Cr 800
Noted by Executive May 2020 - £2m of s106 to replace Growth Fund allocation for Bromley Town Centre capital scheme	2,000
Approved by Executive 30th June 2021 - £116k for 2 year FTC Planning Officer	Cr 116
Approved by Executive 20th Oct 2021 - Professional Services: Civic Centre Development	Cr 500
Approved by Executive on 9th February 2021 - Operational Maintenance Programme Manager	Cr 65
Approved by Executive on 6th October 2022 - Local Plan review process	Cr 600
Put to Executive on 20th September 2023 - £2,250k to support supplementary estimate for Churchill Court	Cr 2,250
<b>Total further spending approvals</b>	<b>Cr 23,243</b>
<b>Schemes approved, but not yet committed</b>	
Approved by Executive 26th November 2014 (for Biggin Hill and Cray Valley)	Cr 6,790
Reversed by Executive 5th July 2023 (for Biggin Hill and Cray Valley)	6,790
<b>Uncommitted Balance on Growth Fund</b>	<b>15,911</b>

**APPENDIX F - FEASIBILITY WORKS**

Location	Estimated Feasibility / Viability Cost (£'000)	Description	2223 Q3 status
West Wickham Leisure Centre		HRA/Regen opportunity	Awaiting condition reports
Feasibility of re-purposing of High Street assets	100	Works to value Council's stake in potential variations to lease	Detailed proposals awaited from tenant
The Walnuts Centre		Regen opportunity	In detailed negotiations with developer prior to seeking Executive approval
Old Town Hall/Civic Centre		Reduction and refurbishment of Council office space	Subject to output of Accommodation Review
Depots Review - disposal options		Env Services programme	Works to clarify scope ongoing
Libraries (Chislehurst model roll out)		Regen opportunity	

Report No.

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** Executive

**Date:** 20 September 2023

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

**Title:** **Office for Local Government and the Local Authority Data Explorer**

**Contact Officer:** Naheed Chaudhry,  
Assistant Director Strategy, Performance and Corporate Transformation  
Tel: 02084617554    E-mail: naheed.chaudhry@bromley.gov.uk

**Chief Officer:** Ade Adetosoye CBE, Chief Executive

**Ward:** All

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1. Reason for decision/report and options

- 1.1 This report provides a briefing on the new Office for Local Government, its intended purpose and planned activity. The Department for Levelling Up, Housing and Communities (DLUHC) established the Office for Local Government (Oflog) in July 2023.
- 1.2 In launching Oflog, DLUHC reference Local Councils as critical partner in the Government's objective to 'level up'. Acknowledging that there is no shared view of what 'good performance looks like' in local government Oflog will address this by "improving access to data, increasing transparency and fostering accountability – while also highlighting excellence and showcasing success."
- 1.3 DLUHC have emphasised that Oflog is not a replacement for the withdrawn Audit Commission. Oflog will not produce performance league tables; nor will add new responsibilities on local authorities. Instead Oflog will recognise and celebrate councils, so others can learn from them. It will also start to detect local authorities at risk of potential failure earlier in the process of decline. Where local authorities are identified as 'at risk of failure', Oflog will convene dialogues between councils and expert local leaders to explore the issues in more detail.

---

2. **RECOMMENDATIONS**

- A. Note the establishment of the Office for Local Government
- B. Note the initial key metrics launched to monitor the effectiveness of local authorities
- C. Note Bromley's relatively good performance against all 18 metrics
-

### Impact on Vulnerable Adults and Children

1. Summary of Impact: Emerging DLUCH oversight on services for vulnerable adults and children.
- 

### Transformation Policy

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

### Personnel

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

### Legal

1. Legal Requirement: Statutory Requirement Further Details Data sets derived from statutory returns.
  2. Call-in: Not Applicable:
- 

### Procurement

1. Summary of Procurement Implications: None
- 

### Property

1. Summary of Property Implications: None
- 

### 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):
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable

### 3. COMMENTARY

3.1 DLUHC state that in recent years a small but significant number of local authority governance and financial failures have directly impacted local communities. At a time when central government is increasingly devolving more power there is a need to have appropriate checks and balances in place. Oflog will play a significant role in establishing a stronger accountability framework, including identifying and supporting at-risk councils

3.2 **By publishing existing data about the relative performance of councils**, Oflog will help councillors and the public have the information they need to scrutinise more effectively local decisions. It is suggested that updates to Oflog data-outturns will continue to be inline with existing statutory collection timeframes.

3.3 Oflog's strategic objectives are to:

- empower citizens with information about their local authority, enabling them to hold local leaders to account;
- increase local leaders' and councils' understanding of their relative performance, supporting them to improve and better innovate;
- increase central government's understanding of local government performance, highlighting excellence and identifying risk of failure to facilitate timely and targeted support.

3.4 Oflog's activities will include:

- presenting data on local government performance in a clear and accessible way;
- celebrating the success of high-performing local authorities, and helping others to learn lessons from them;
- identifying local authorities at risk of potential failure, and helping to arrange support for them

#### 3.5 Local Authority Data Explorer

3.6 Oflog will improve the transparency of local government performance by publishing data on a new [Local Authority Data Explorer](#) website.

3.7 The Data Explorer brings together **existing data** that is often disparate, it initially includes a subset of metrics covering four areas;

- adult social care,
- waste management,
- finance, and
- adult skills (although this area is not applicable to Bromley, see explanation).

3.8 **Further service areas will be added to cover a more holistic range of local government responsibilities, and existing areas expanded**, as the metrics are developed.

3.9 Oflog acknowledge that data alone does not provide the full answer but will **use it to prompt questions about a local authority's performance**. While there is no particular dataset that can give a definitive prediction of the risk of failure, Oflog will monitor risk through the consideration of 'soft' indicators, which may not adhere to a rigorous analytical criterion but can provide some insight and proxy inference.

3.10 By selecting and publishing metrics that are most relevant to devolved areas, Oflog aims to demonstrate the impact of devolution against outcomes that people care about. Oflog seeks to make sure that the outcome metrics used are the most appropriate for holding devolved areas

and their leaders to account for their performance. Some metrics will therefore not be relevant to London local authorities.

3.11 **In seeking to identify at-risk areas, Oflog will not be making any judgement of failure that necessitates formal intervention. This role remains with DLUHC through the existing Best Value framework.** Instead, Oflog's role will be to monitor the indicators – which could include areas such as governance and use them to inform whether a dialogue needs to be opened with any such local authority. If so, Oflog may convene this conversation, bringing in local leaders and experts from the sector to explore what is happening on the ground and whether the indicators are correct in giving an early warning that something is amiss. Oflog will also explore whether the council is already taking action to address the underlying causes, and how effective this action is being.

3.12 Alongside this work conducted by Oflog, DLUHC has consulted on new statutory guidance for Best Value standards and intervention. Oflog's objective to increase transparency of data across the sector are proposed to strengthen the department's Best Value judgements of local councils. Together, the Best Value guidance and Oflog will introduce greater accountability of local government, both to the public and central government.

### 3.13 The Oflog Metrics

3.14 As of July 2023, there are 18 metrics relevant to the London Borough of Bromley. We are performing well against all eighteen as at 2021-22 (the latest published data) when compared to CIPFA benchmark boroughs, National averages and other London Authorities. See appendix for London benchmarks.

3.15 DLUHC undertook some engagement with the sector, where concerns were raised regarding the usefulness of the chosen metrics. Without wider contextual data, the Oflog metrics might provide an overly simplistic view of provision between councils. It is also clear that individual local authorities lack the direct levers to influence some of these indicators.

### 3.16 Adult social care

3.17 Bromley is performing well against National and CIPFA benchmarks in all seven adult social care indicators.

Indicator (click for source data)	Financial year	Value Range	Bromley	Median of Bromley's CIPFA Nearest Neighbours	England median
<a href="#">Requests resulting in a service</a>	2021-22		1078 per 100,000 population	1560 per 100,000 population	1709 per 100,000 population
<a href="#">Workforce turnover rate</a>	2021-22		25.6%	26.8%	28.7%
<a href="#">People in adult social care quality of life</a>	2021-22	-0.8 to 1.0	0.423	0.408	0.409
<a href="#">Carers of people in adult social care quality of life</a>	2021-22	0 to 12	7.7	7.0	7.2
<a href="#">Short term service provision</a>	2021-22		96.0%	79.7%	76.3%
<a href="#">People who use services who found it easy to find information</a>	2021-22		67.2%	65.7%	65.3%
<a href="#">Carers who found it easy to find information about services</a>	2021-22		58.4%	53.5%	57.3%

3.18 Its worth noting that a new CQC led inspection regime for Adult Social Care (ASC) launched this year which involves the collection of evidence against six categories, including people's experiences, feedback from staff/leaders, observations of care, feedback from partners, processes and outcomes of care. It is unclear how the Oflog metrics will add to the depth of

understanding about the experience of care in a local authority area given CQC has explicitly named people’s experience and outcomes of care as evidence to be considered.

### 3.19 **Adult Skills**

3.20 This subset is not applicable for the London Borough of Bromley.

3.21 Adult skills comprise a range of education services for adults that support individual learning and progression of workplace skills, as well as economic growth.

3.22 Oflog presents selected performance metrics for adult skills services delivered by Mayoral Combined Authorities only. Individual local authorities lack the direct levers to influence these indicators.

3.23 London boroughs receive funding as Adult Community Education providers from the GLA and then deliver adult community learning locally. But they are often one of many providers – the majority of the Adult Education Budget (AEB) goes to colleges directly, as well as some going to Independent Training Providers.

### 3.24 **Waste**

3.25 Bromley is performing well against National and CIPFA benchmarks in all three waste indicators.

Indicator (click for source data)	Financial year	Bromley	Median of Bromley's CIPFA Nearest Neighbours	England median
<a href="#">Household waste recycling rate</a>	2021-22	48.7%	38.4%	41.9%
<a href="#">Residual household waste</a>	2021-22	464.9 kg per household	544.8 kg per household	502.4 kg per household
<a href="#">Recycling contamination rate</a>	2021-22	5.2%	4.4%	5.6%

3.26 Contextually it’s worth noting that London and other dense urban areas face some specific challenges to increasing recycling rates.

3.27 WRAP’s recycling tracker survey shows places with the following characteristics are more likely to dispose of items wrongly:

- **Renting:** London has the highest % rented privately or in the social rented sector (55%), the England average is 39%
- Higher levels of **deprivation:** a quarter of all the most deprived households in England (those that are deprived on all four dimensions in the 2021 Census) are in London
- **Flats/apartments** (especially with shared bins): in London in 2021, 54% lived in a flat, maisonette or apartment compared to 17% across the rest of England
- **Young adults:** Those aged 18-34 year olds are less likely to/be persuaded to, recycle (this age group represents 27% of London’s population compared with 21% outside of London)
- **Garden waste:** recycling is 6% of total waste in London compared to 17% for England. So, recycling rates for dense urban environments are unlikely to ever reach kerbside levels.

### 3.28 **Local Authority Reserves**

- 3.29 Bromley is performing well against National and CIPFA benchmarks in five of the eight ‘local Authority reserves’ indicators which are performance metrics. The other 3 metrics are expenditure values, in which Bromley is spending less per dwelling, and has lower rates of council tax against Band D properties and is raising greater levels of council tax, arguable all good indications.
- 3.30 The reserves measures rely on data from the Revenue Outturns collected by DLUHC annually, use a combined measure of unallocated reserves and earmarked reserves excluding those for schools, and public health.
- 3.31 Using net current expenditure and an adjusted measure of service expenditure as the denominators to work out reserves as a % share of spending. Both these spending measures are net of locally generated income (sales, fees & charges and other service income) which London boroughs are more reliant on than other areas. Boroughs will determine reserves levels based on the associated risks to their total (gross) budgets, which partly explain why reserves as a share of net spending appear higher for London boroughs compared with other areas. When you compare reserves as a share of gross spending, boroughs’ reserves are around the England average and are lower than those held by councils in shire areas.
- 3.32 More broadly, all councils are different and hold reserves for many different reasons subject to their local context. For example relating to capital programmes, regeneration projects and the different approaches to service delivery down to local democratic decisions. They face different risks relating to their income profiles and the relative volatility of different funding streams. These general reserve measures should therefore be viewed with caution when benchmarking between authorities and across different authority types and areas.

Indicator (click for source data)	Financial year	Bromley	Median of Bromley's CIPFA Nearest Neighbours	England median (Unitary Metropolitan and London Boroughs)
<a href="#">Non-ringfenced reserves as percentage of net revenue expenditure</a>	2021-22	109.0%	49.6%	54.9%
<a href="#">Non-ringfenced reserves as percentage of service spend</a>	2021-22	84.3%	42.7%	44.6%
<a href="#">Total core spending power per dwelling</a>	2021-22	£1625.67	£1921.97	£1885.14
<a href="#">Level of Band D council tax rates</a>	2021-22	£1327.86	£1457.44	£1554.02
<a href="#">Council tax revenue per dwelling</a>	2021-22	£1606.37	£1546.62	£1293.42
<a href="#">Social care spend as percentage of core spending power</a>	2021-22	65.2%	63.9%	66.4%
<a href="#">Debt servicing as percentage of core spending power</a>	2021-22	0.5%	9.6%	9.0%
<a href="#">Total debt as percentage of core spending power</a>	2021-22	10.6%	249.7%	226.8%

### 3.33 Best value consultation



- 3.34 The consultation sort views on statutory guidance for local authorities, on the Best Value Duty. Issued to local authorities in England under section 26 of the Local Government Act 1999. The guidance provides greater clarity to the local government sector on how to fulfil the Best Value Duty by describing what constitutes best value, the standards expected by the department and the models of intervention at the Secretary of State for Levelling Up, Housing and Communities' disposal in the event of failure to uphold these standards.
- 3.35 The consultation closed on 15<sup>th</sup> August 2023 with findings expected this autumn. [Best value standards and intervention - a statutory guide for best value authorities: consultation - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/best-value-standards-and-intervention-a-statutory-guide-for-best-value-authorities)
- 3.36 Appendix: London Councils, benchmarking against all London LAS and London average.

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# LONDON COUNCILS

The logo for London Councils, featuring the words "LONDON" and "COUNCILS" stacked vertically. "LONDON" is in a dark purple, bold, sans-serif font, while "COUNCILS" is in a lighter purple, bold, sans-serif font. A dark purple curved line sweeps from the right side of "COUNCILS" under "LONDON".

# **Analysis of London performance for the first set of metrics published by the Office for Local Government (Oflog)**

London Councils' Improvement Team

18 July 2023

# Introduction

This slide pack displays London borough performance for the first set of Oflog metrics published in July 2023.

The charts cover 21 metrics across four themes: Adult Social Care; Waste Management; Adult Skills; and Finance. For each of the themes, a contextual summary for London has been provided.

The slides are designed to help boroughs understand the relative position of their borough on each metric using the data presented through the [Oflog Data Explorer](#).

All data for comparators are medians. For the finance measures 'All authorities' is the median of Unitary, Metropolitan and London Boroughs only. Some data was not available in published sources (e.g. ASC measures for Hackney and Lewisham).

On the notes section of the slide for each metric chart, the definition and source data for the metric has been provided.

The charts are not designed to make any judgements on good or performance.

# First set of Oflog metrics

New measures not in the draft list

## Adult Social Care

No	Metric
1	Quality of life of people who use LA services
2	Quality of life of carers
3	Proportion of people who received short-term services during the year – who previously were not receiving services – where no further request was made for ongoing support
4	Proportion of people who use services who have found it easy to find information about services and/or support
5	Proportion of carers who use services who have found it easy to find information about services and/or support
6	Proportion of requests for support to the LA which result in a service multiplied by the number of requests per 100,000 population.
Page 82	Staff turnover in the workforce

## Waste

No	Metric
1	Proportion of household waste sent for recycling.
2	Residual (i.e., non-recycled) waste per household (KG per hh)
3	Contamination rate of recycling

## Adult skills

No	Metric
1	19+ FE and Skills Achievements per 100,000 population – incl. apprenticeships
2	19+ FE and Skills Achievements per 100,000 population – excl. apprenticeships
3	Proportion of the adult population aged 16-64 with level 3+ qualification

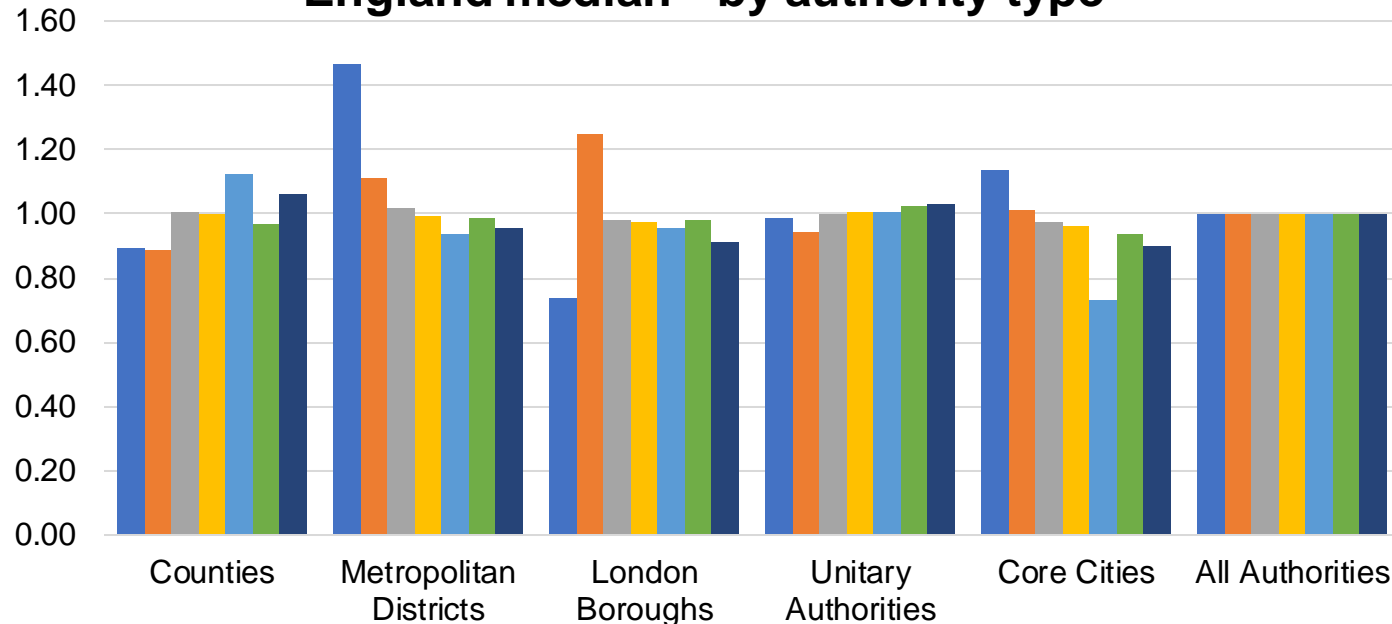
## Finance

No	Metric
1	Reserves as a percentage of Net Revenue Expenditure
2	Reserves as a percentage of service spend
3	Total Core Spending Power per dwelling
4	Level of Band D council tax rates
5	Council tax revenue per dwelling
6	Social care spend as % of Core Spending Power
7	Debt servicing as % of Core Spending Power
8	Total debt as % of Core Spending Power

# **Analysis of first set of Oflog metrics for London compared with other authority types, regions and Core Cities**

# Adult Social Care metrics

**Adult Social Care Metrics - distance from England median - by authority type**



- Requests resulting in a service
- Workforce turnover rate
- People in adult social care quality of life
- Carers of people in adult social care quality of life
- Short term service provision
- People who use services who found it easy to find information
- Carers who found it easy to find information about services

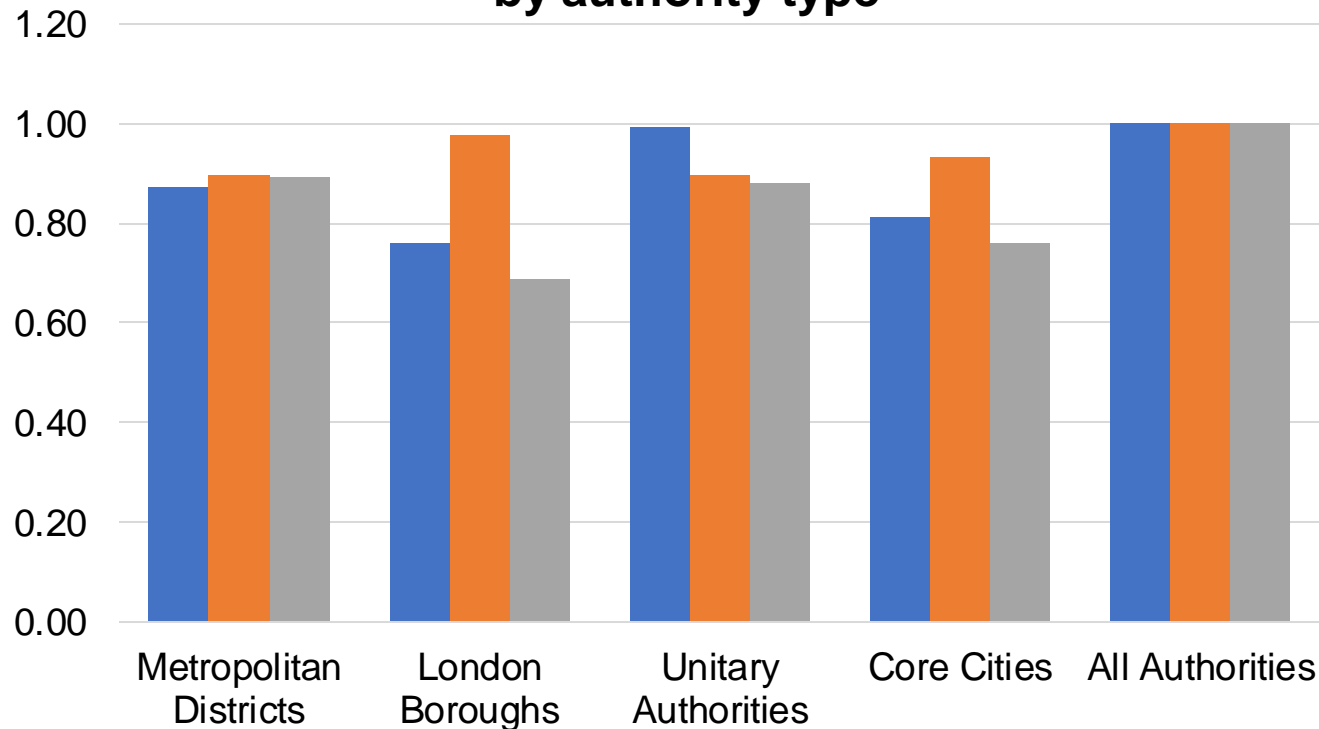
- London borough average (median) performance is worse than the England average on all measures except workforce turnover
- However, compared with Core Cities - London performs *better* on all bar one metric (Requests resulting in a service)
- Workforce turnover in London is the lowest in the country, but this masks some local contextual issues e.g. London has the highest *vacancy* rate of all regions and the lowest permanent starter rate

Note – all metrics have been standardised with regard to the England median and the same polarity i.e. the higher the number the better the performance



# Waste metrics

Waste Metrics - distance from England median  
- by authority type



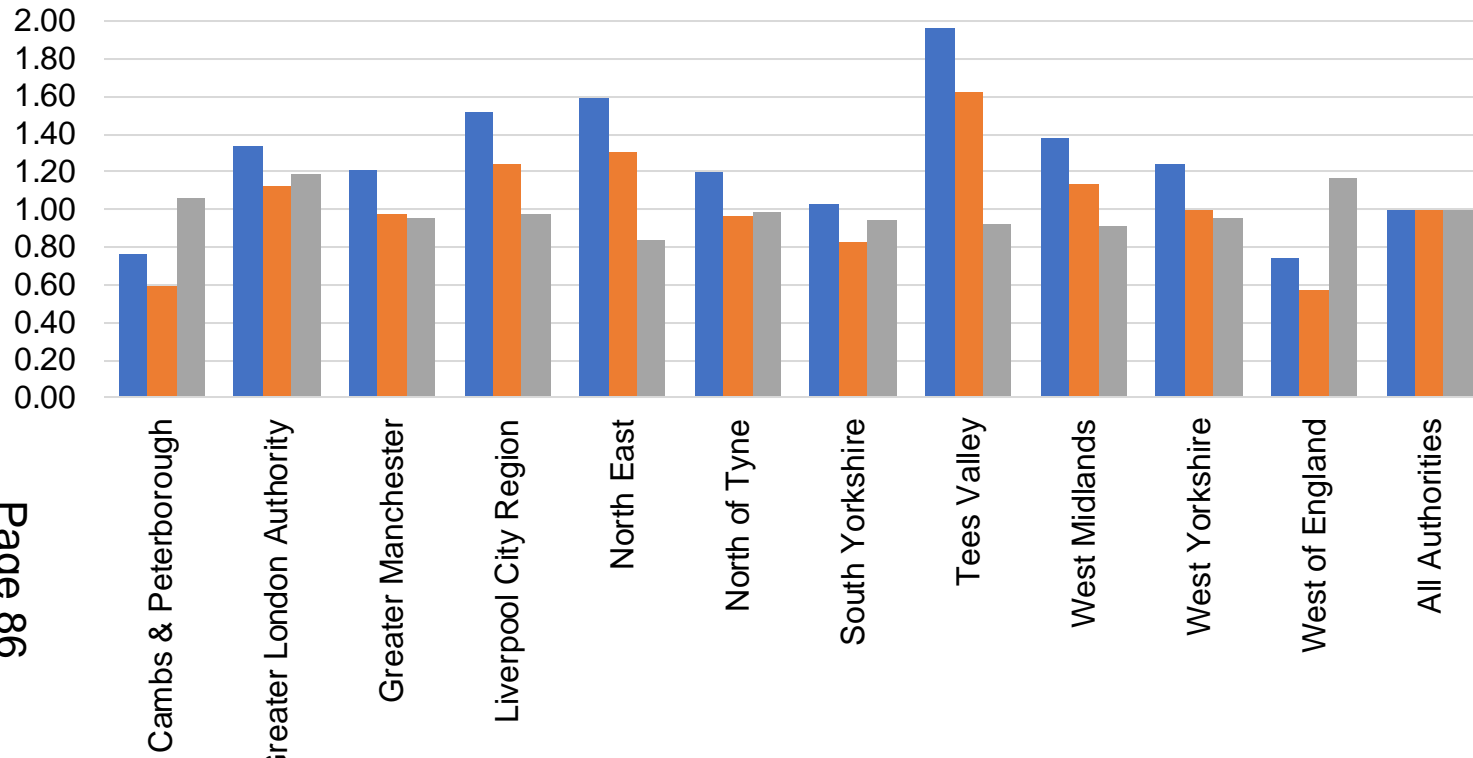
- Household waste recycling rate
- Residual household waste
- Recycling contamination rate

- London borough average (median) performance is worse than the England average on both recycling measures (HH recycling rate and recycling contamination rate), and worse than the average across the 9 Core Cities
- But Residual household waste (waste that was intended for recycling but could not be recycled) is closer to the England average and slightly lower on average in London than other authority types

Note – all metrics have been standardised with regard to the England median and the same polarity i.e. the higher the number the better the performance

# Adult Skills metrics

**Adult Skills metrics - distance from England median  
- by authority type**



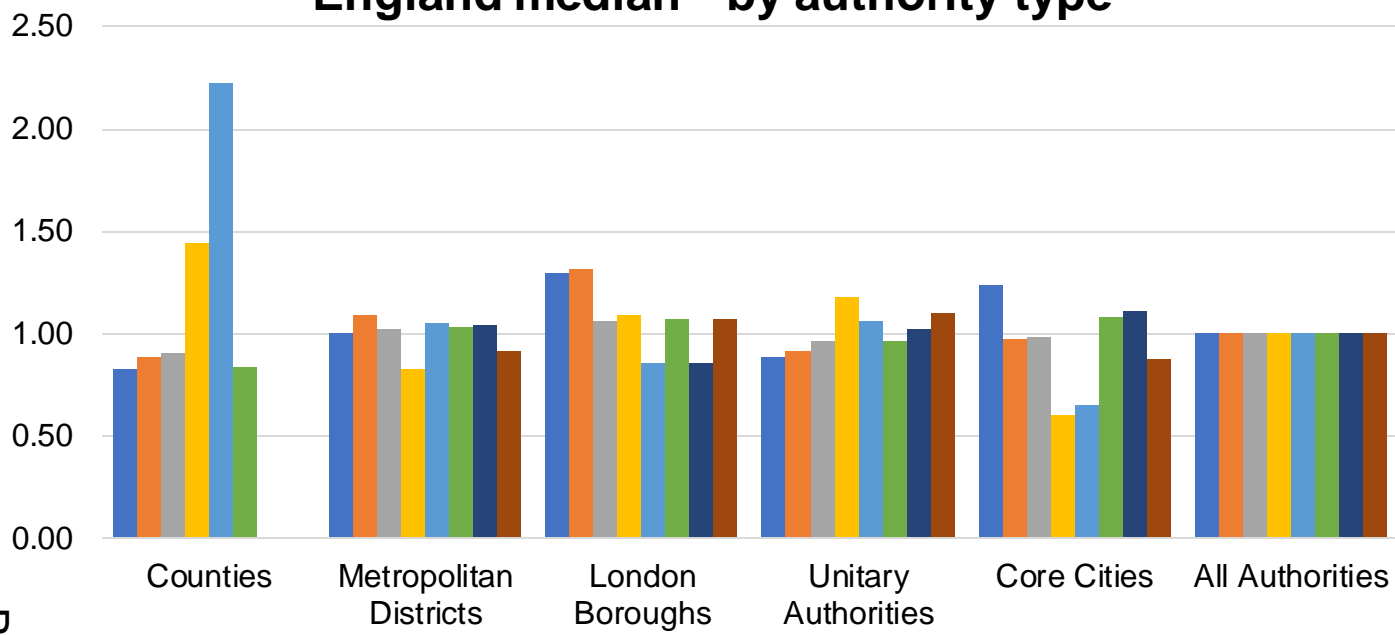
- 19+ FE & skills achievements per 100,000 popn
- 19+ FE & skills achievements per 100,000 popn (Excl Apprenticeships)
- Adults with a Level 3 or above qualification, 2021

- London performs well on average compared with other MCA areas on adult skills metrics
- London has the highest rate of Adults with a Level 3+ qualification compared to other Mayoral Combined Authorities
- Further Education achievements are also higher than average, but three MCAs perform better than London across these two metrics

Note – all metrics have been standardised with regard to the England median and the same polarity i.e. the higher the number the better the performance

# Finance metrics

Finance metrics (selected) - distance from England median - by authority type



- Non-ringfenced reserves as percentage of net revenue expenditure
- Non-ringfenced reserves as percentage of service spend
- Social care spend as percentage of core spending power
- Debt servicing as percentage of core spending power
- Total debt as percentage of core spending power
- Total core spending power per dwelling
- Level of Band D council tax rates
- Council tax revenue per dwelling

- Reserve levels are higher on average in London (but NB these use Net rather than gross spending)
- London has the lowest level of social care spend as % of CSP compared to other authority types
- Debt servicing as % of CSP is better than average, but boroughs have higher levels of total debt on average
- London boroughs' average CSP per dwelling is the highest of all authority types, but lower than Core Cities
- London's Council tax band D rates are lower on average than across England
- But CT revenue per dwelling is higher than average

Note – the first 5 metrics have been standardised with regard to the England median and the same polarity i.e. the higher the number the better the performance. For the 3 financial context measures, figures above 1 simply mean a higher number for that metric.

# Analysis of proposed Oflog metrics across London boroughs

# Adult Social Care metrics

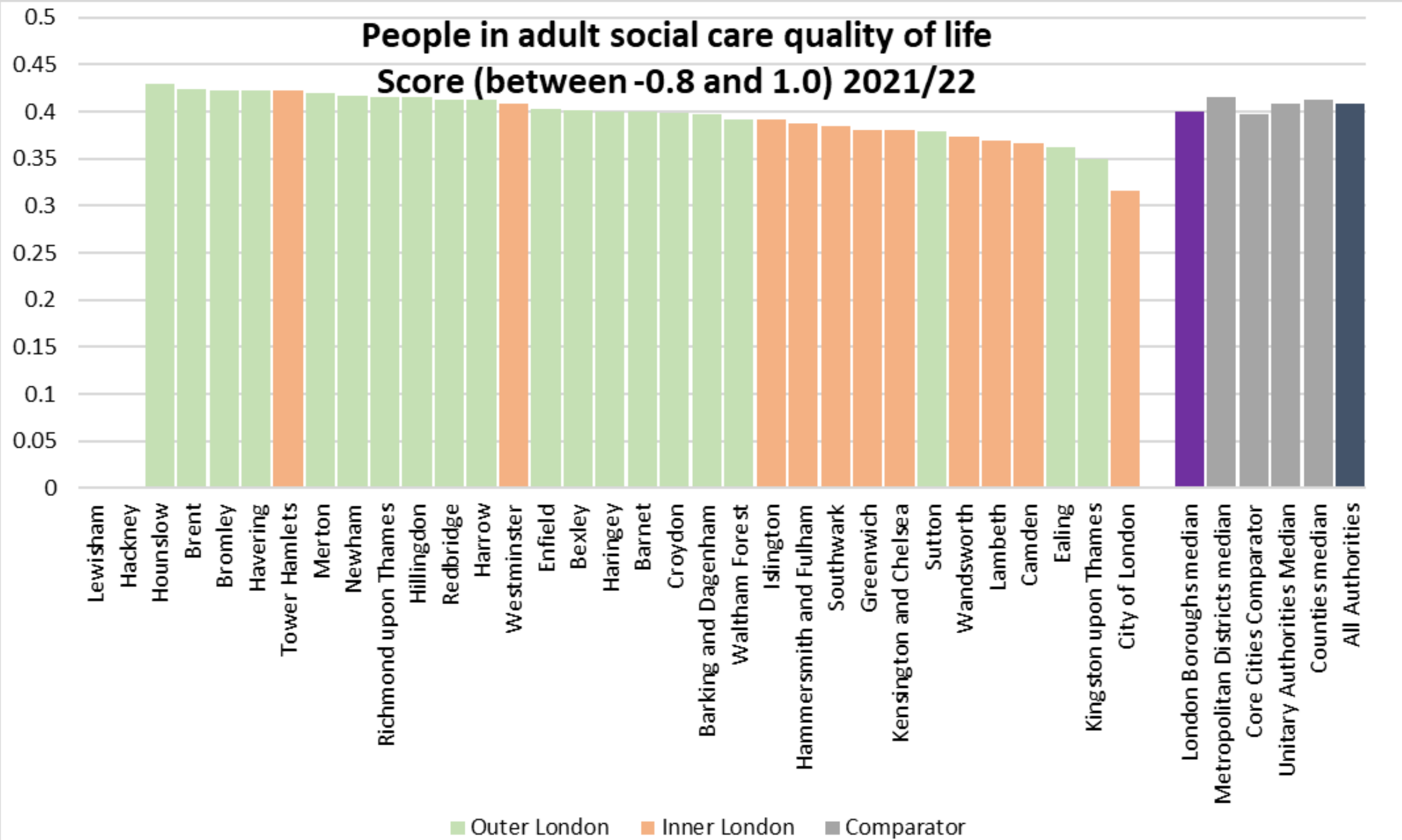
No	Metric
1	Quality of life of people who use LA services
2	Quality of life of carers
3	Proportion of people who received short-term services during the year – who previously were not receiving services – where no further request was made for ongoing support
4	Proportion of people who use services who have found it easy to find information about services and/or support
5	Proportion of carers who use services who have found it easy to find information about services and/or support
6	Proportion of requests for support to the LA which result in a service multiplied by the number of requests per 100,000 population.
7	Staff turnover in the workforce

# Adult Social Care metrics - context

A new CQC led inspection regime for ASC will be launched this year. The framework involves the collection of evidence against six categories, including people's experiences, feedback from staff/leaders, processes and outcomes of care. It is unclear how the Oflog metrics will add to the depth of understanding about the experience of care in a LA area given CQC has explicitly named people's experience and outcomes of care as evidence to be considered. Without the wider contextual data that CQC will consider, the Oflog metrics might provide an overly simplistic and unhelpful view of provision between councils.

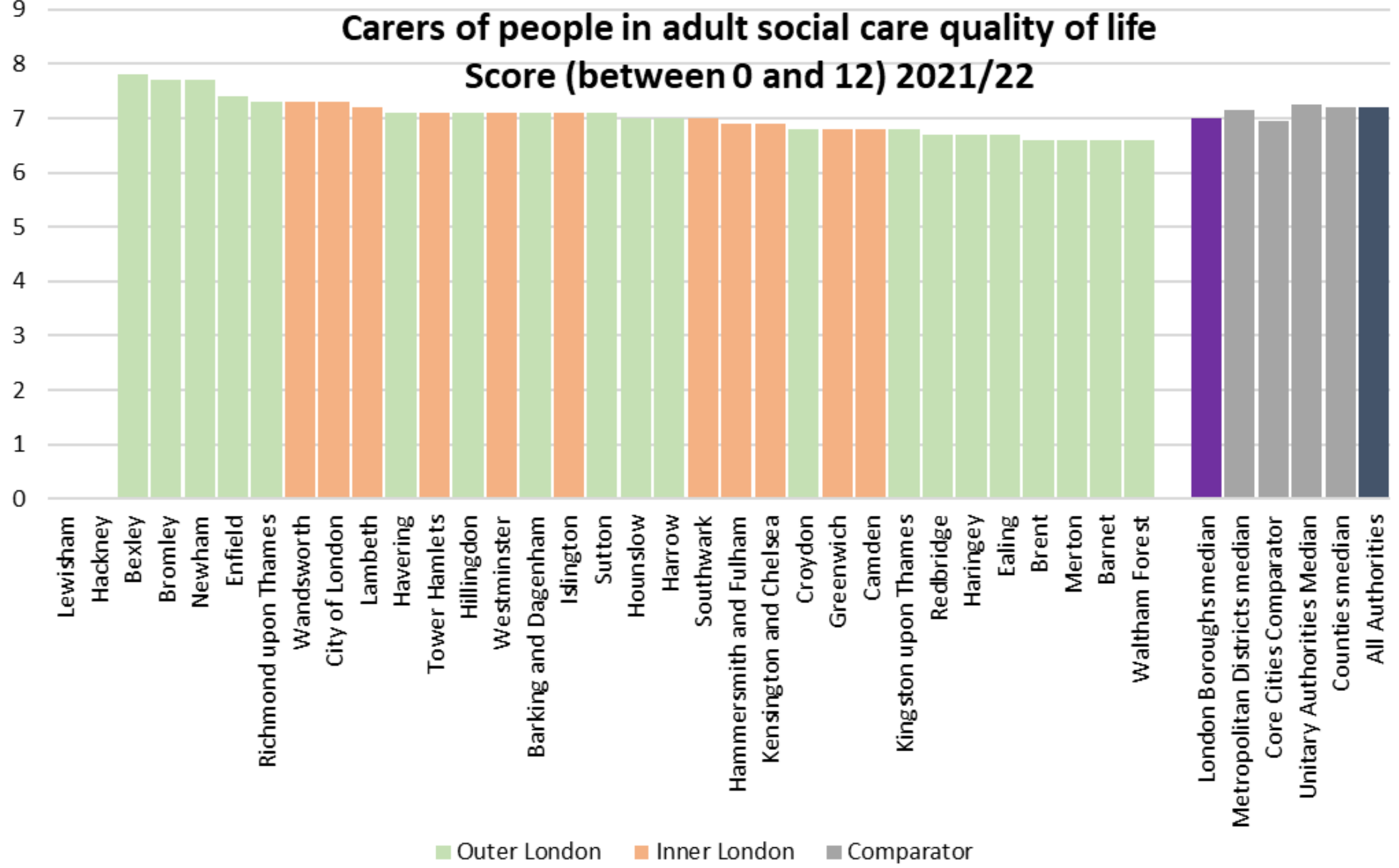
Hospital pressures and delayed discharges have been central in the government's agenda for NHS and ASC funding throughout last winter. It is unclear if Government is taking a new approach to its priorities for ASC through Oflog, and if so. how it intends to fund improvements in this area.

London remains a region with very significant inequalities in terms of income, health and life expectancy which will have an impact on a measure that reflects the experiences of people who may be receiving care services. Accessing good/secure employment and the affordability of accommodation is likely to be an issue for people who are caring for someone as well as holding down a job.

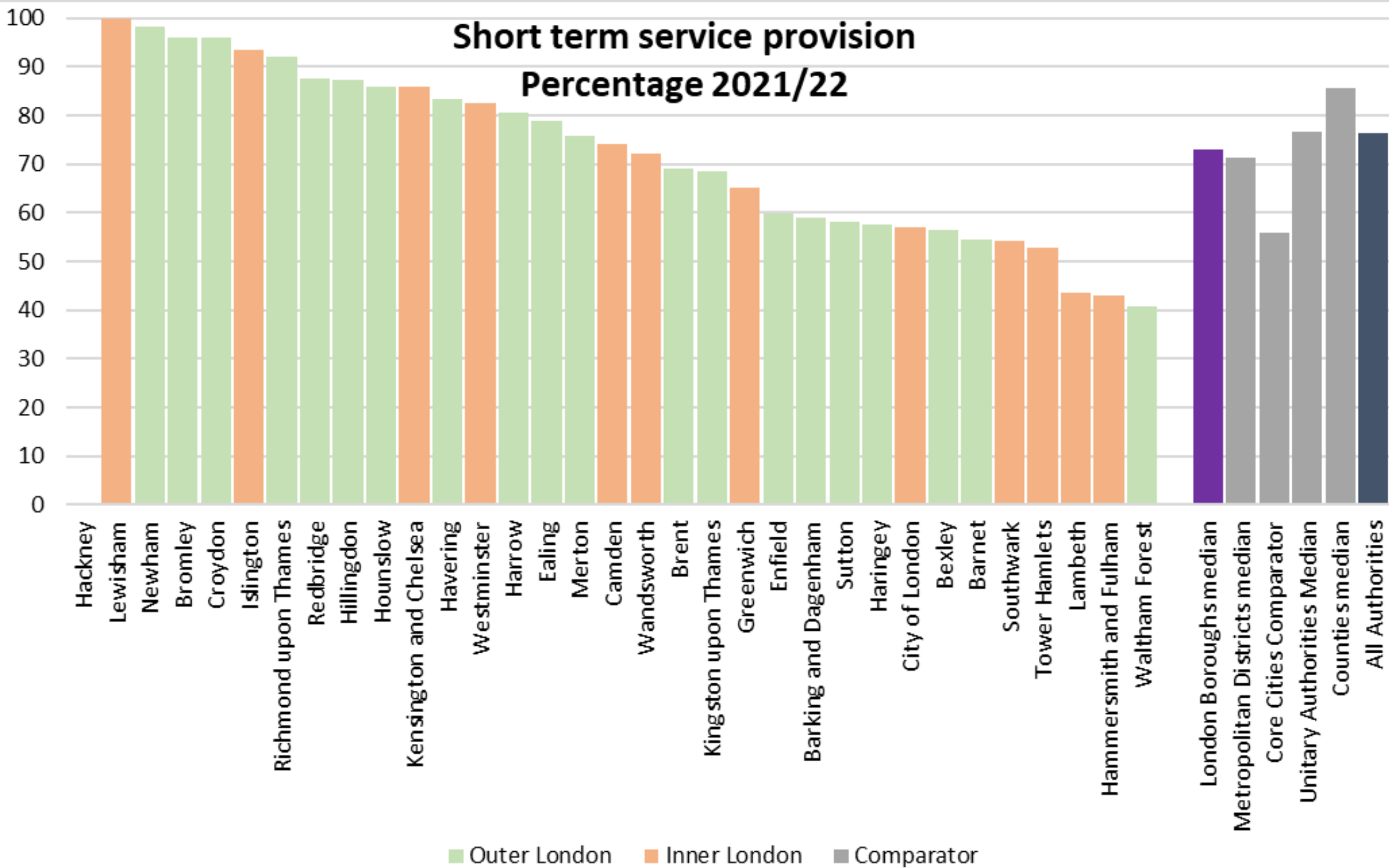


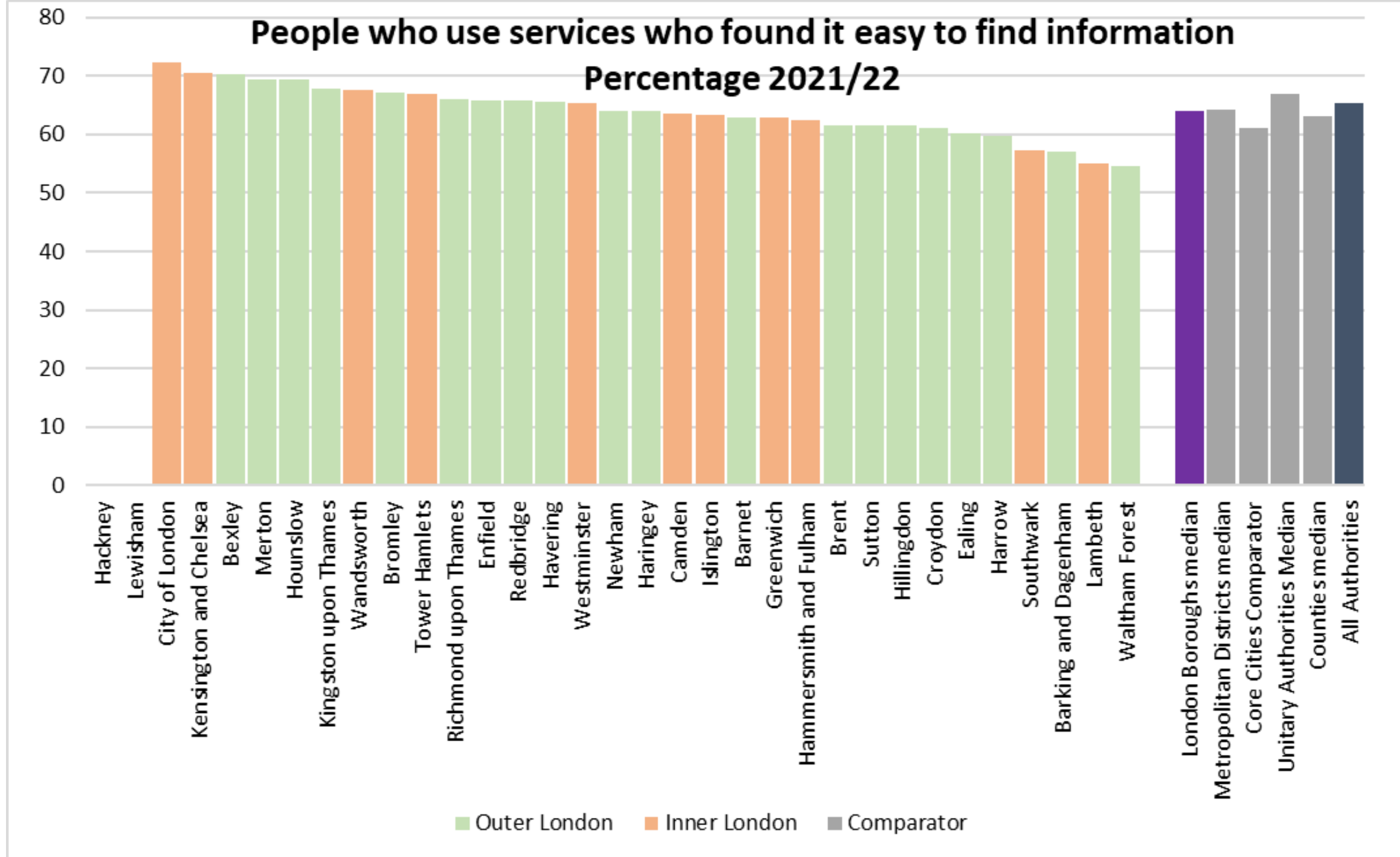
# Carers of people in adult social care quality of life

## Score (between 0 and 12) 2021/22



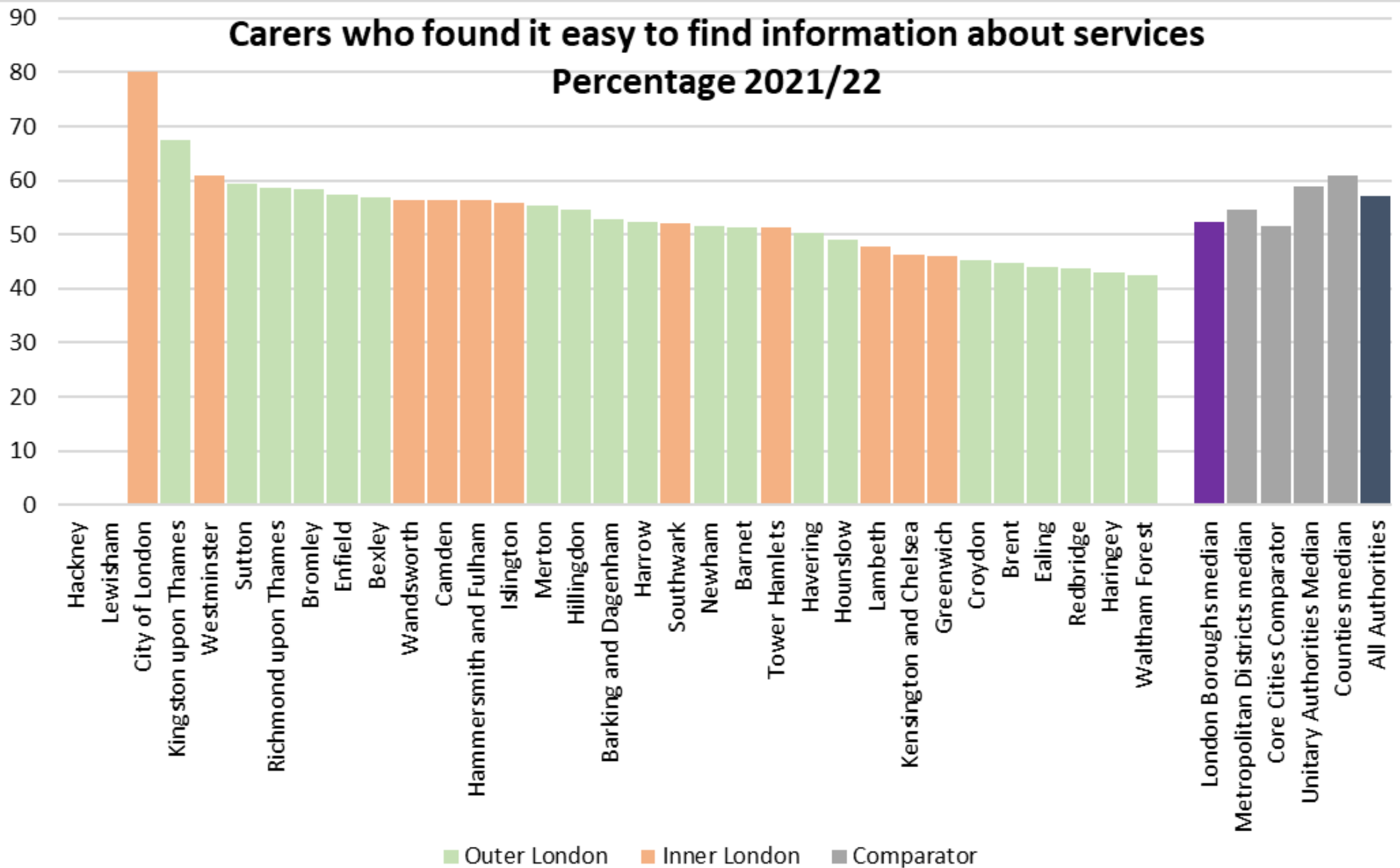




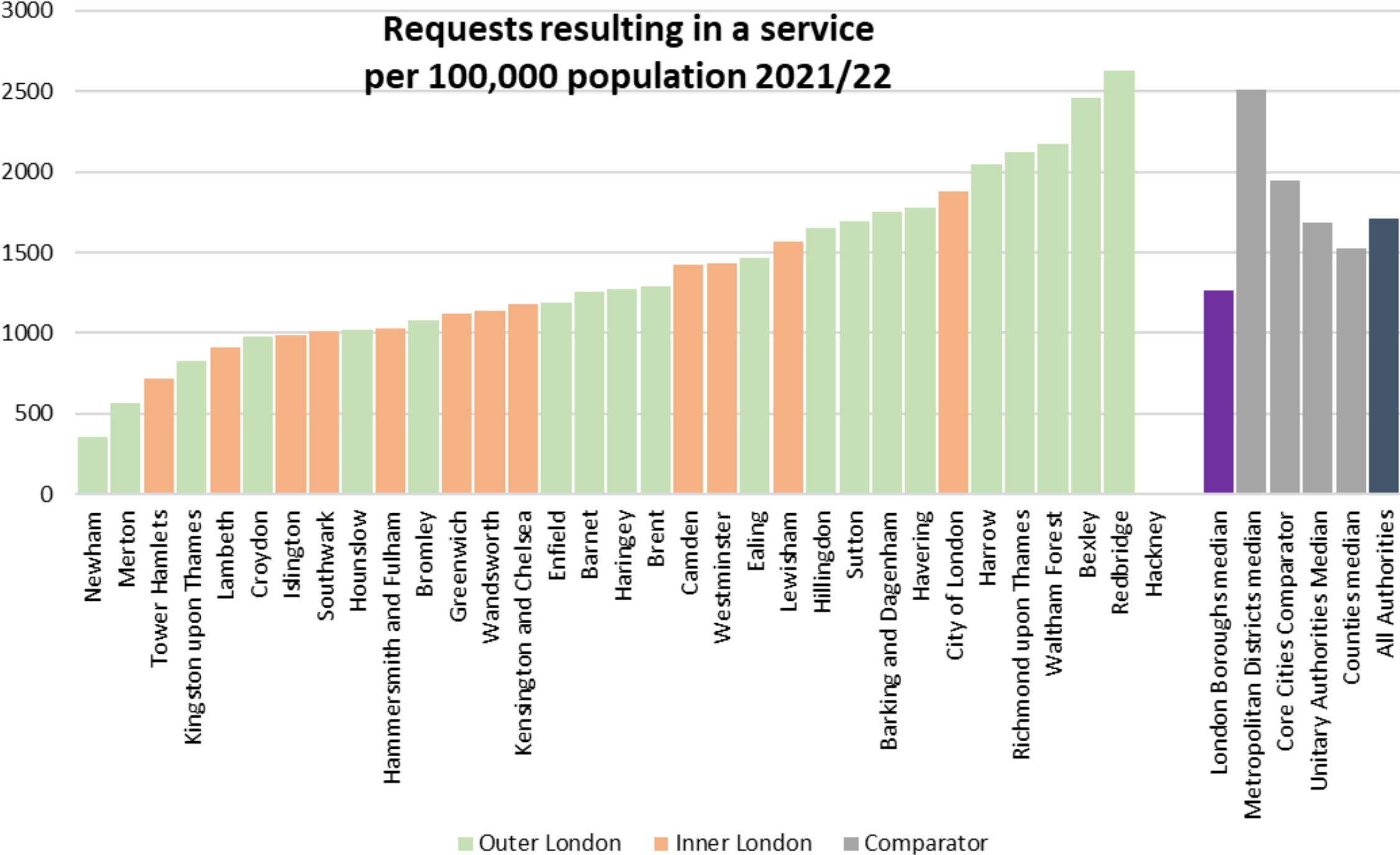


# Carers who found it easy to find information about services

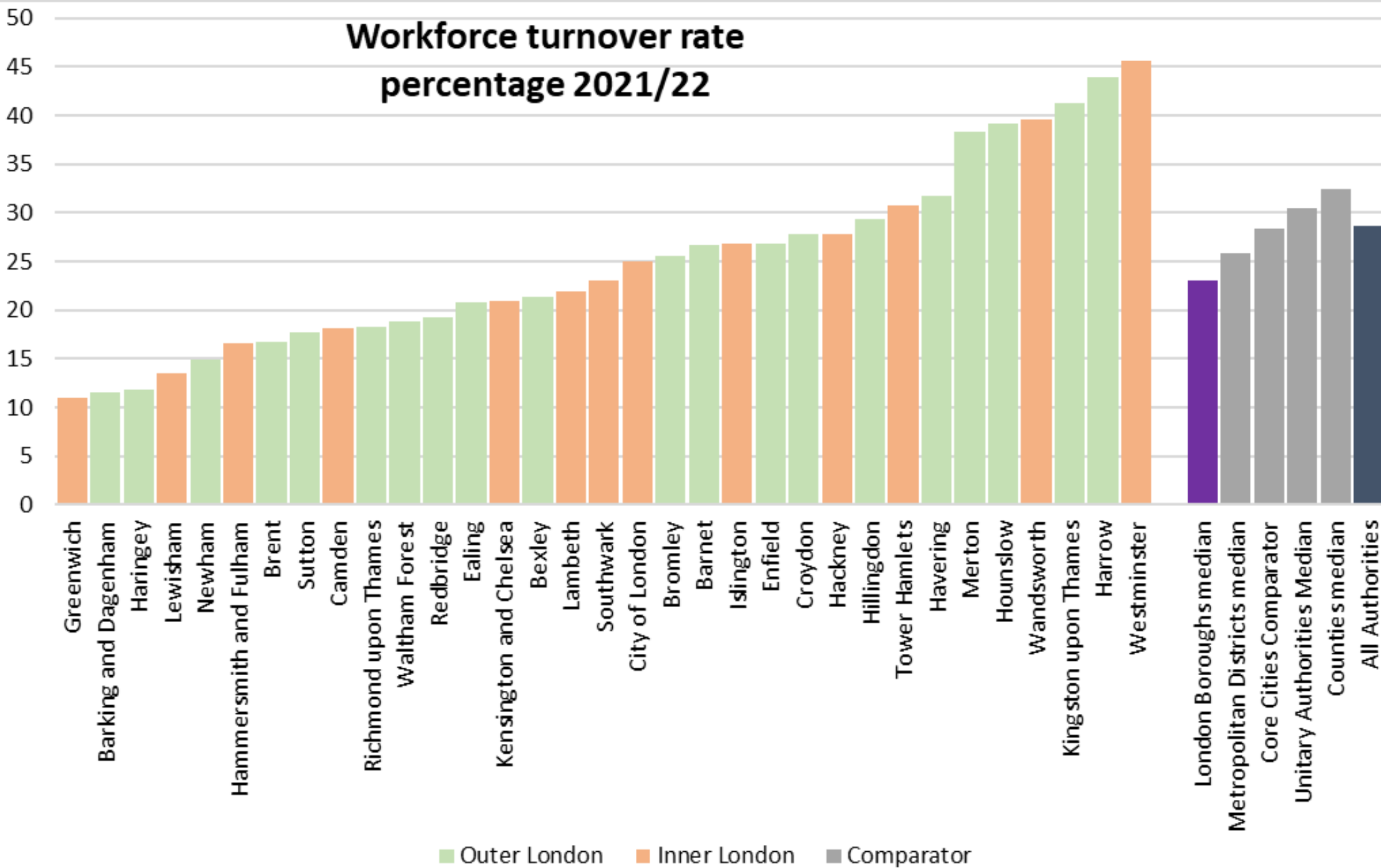
Percentage 2021/22



# Requests resulting in a service per 100,000 population 2021/22



## Workforce turnover rate percentage 2021/22



# Waste metrics

No	Metric
1	Proportion of household waste sent for recycling.
2	Residual (i.e., non-recycled) waste per household (kilograms per household)
3	Contamination rate of recycling

# Waste metrics - context

Waste contextual information provided by

[ReLondon](#)

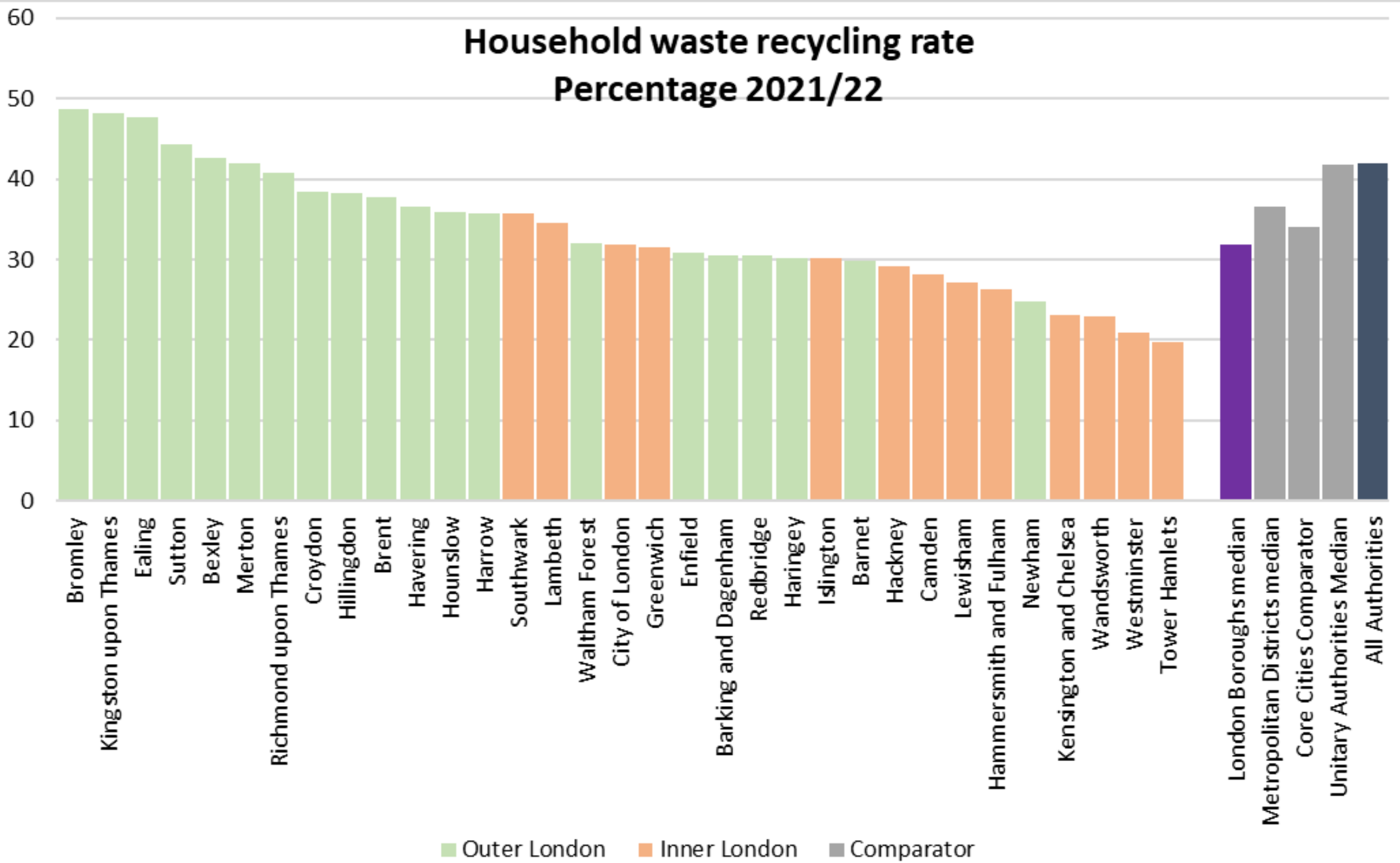
London represents the second largest region in terms of household waste collected - producing 13% of all England's waste.

London and other dense urban areas face some specific challenges to increasing recycling rates. WRAP's recycling tracker survey shows places with the following characteristics are more likely to dispose of items wrongly:

- **Renting:** London has the highest % rented privately or in the social rented sector (55%), the England average is 39%
- Higher levels of **deprivation:** a quarter of all the most deprived households in England (those that are deprived on all four dimensions in the 2021 Census) are in London
- **Flats/apartments** (especially with shared bins): in London in 2021, 54% lived in a flat, maisonette or apartment compared to 17% across the rest of England
- **Young adults:** Those aged 18-34 year olds are less likely to/be persuaded to, recycle (this age group represents 27% of London's population compared with 21% outside of London)
- **Garden waste:** recycling is 6% of total waste in London compared to 17% for England. So, recycling rates for dense urban environments are unlikely to ever reach kerbside levels.

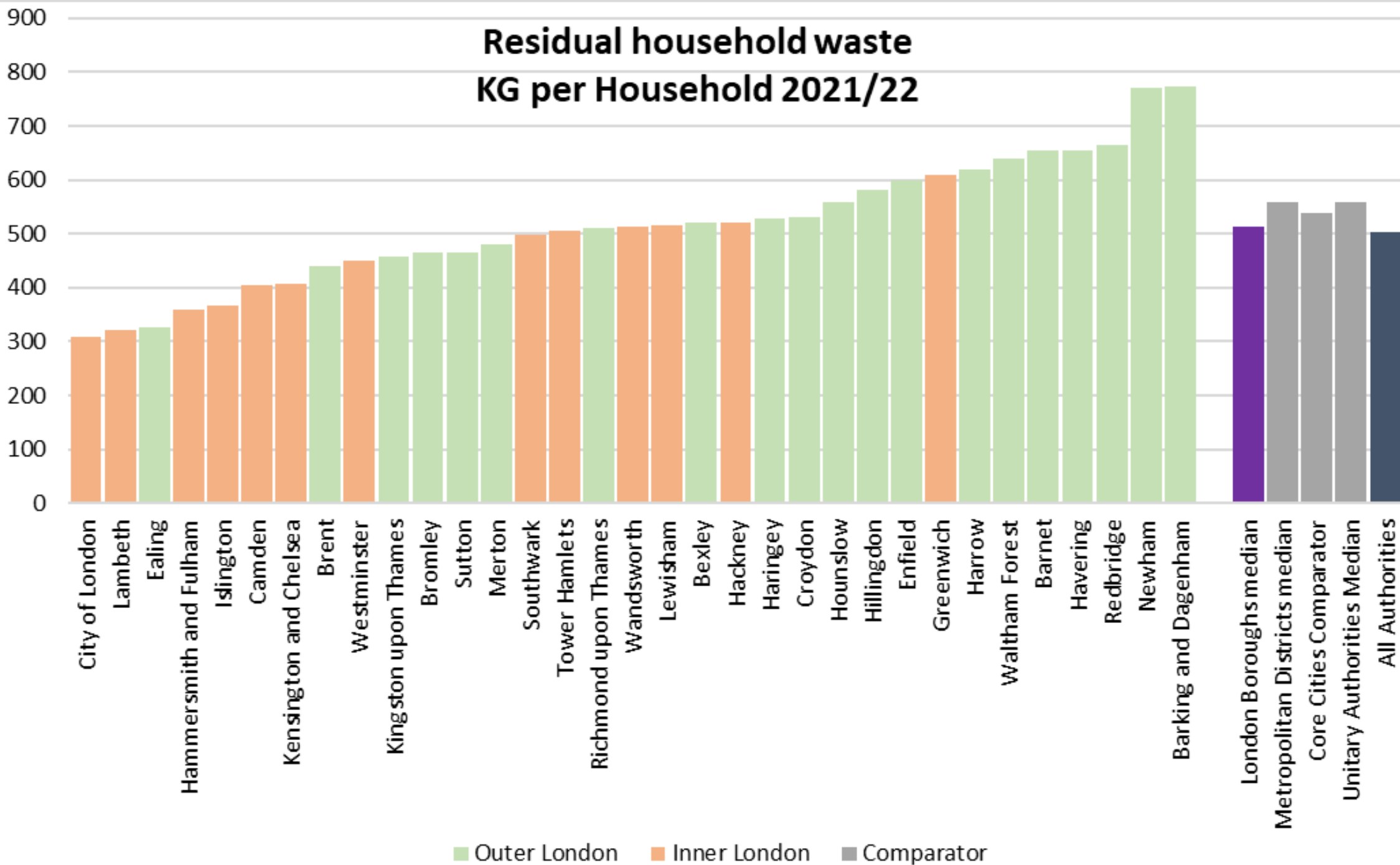
If current capture rates are maintained, and the proportion of properties with a communal waste collection increases to 50% (up from the current estimate of 30%), London's recycling rate is predicted to fall to 29%.

# Household waste recycling rate Percentage 2021/22

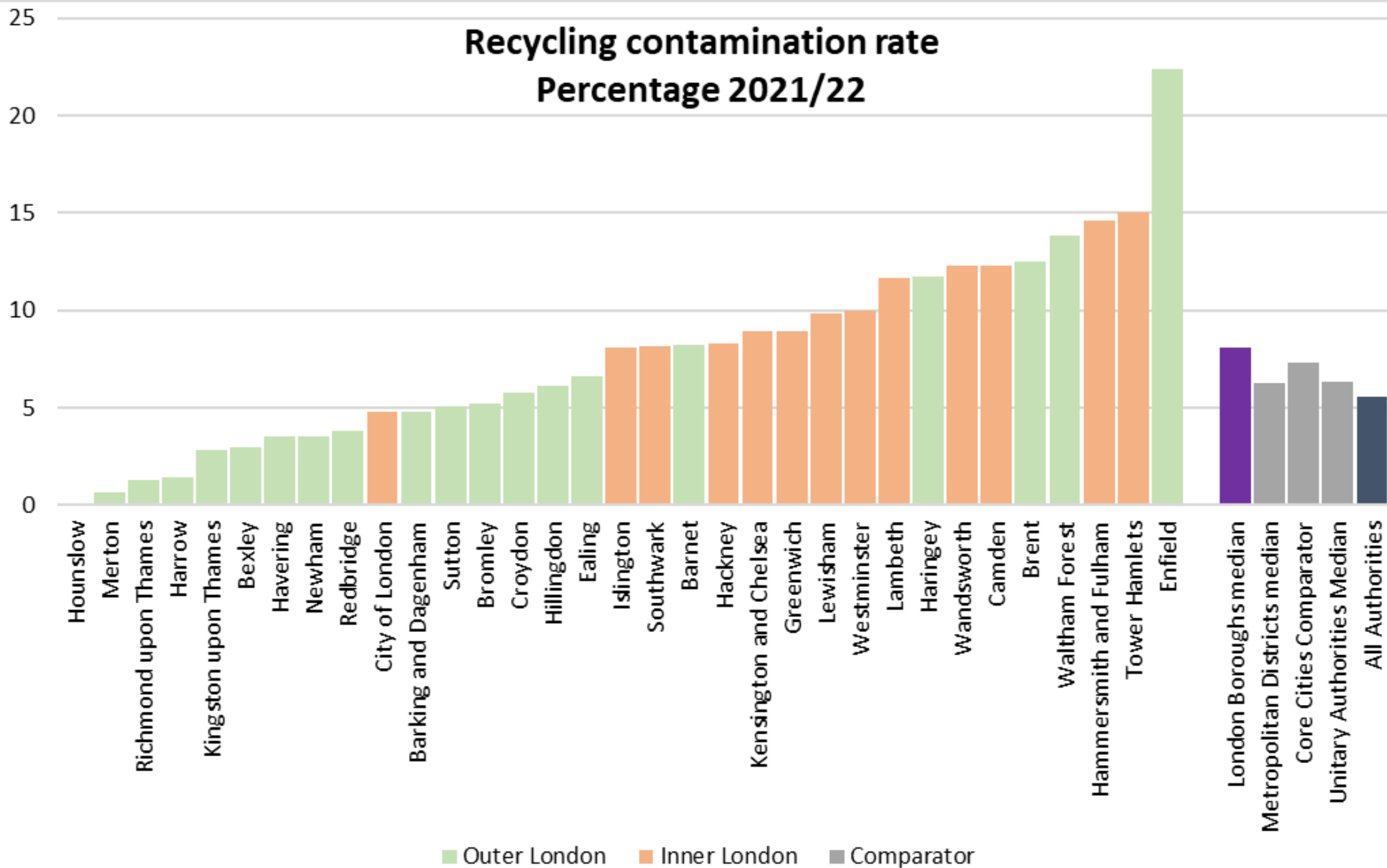




## Residual household waste KG per Household 2021/22



## Recycling contamination rate Percentage 2021/22



# Adult Skills metrics

No	Metric
1	19+ FE and Skills Achievements per 100,000 population – incl. apprenticeships
2	19+ FE and Skills Achievements per 100,000 population – excl. apprenticeships
3	Proportion of the adult population aged 16-64 with level 3+ qualification

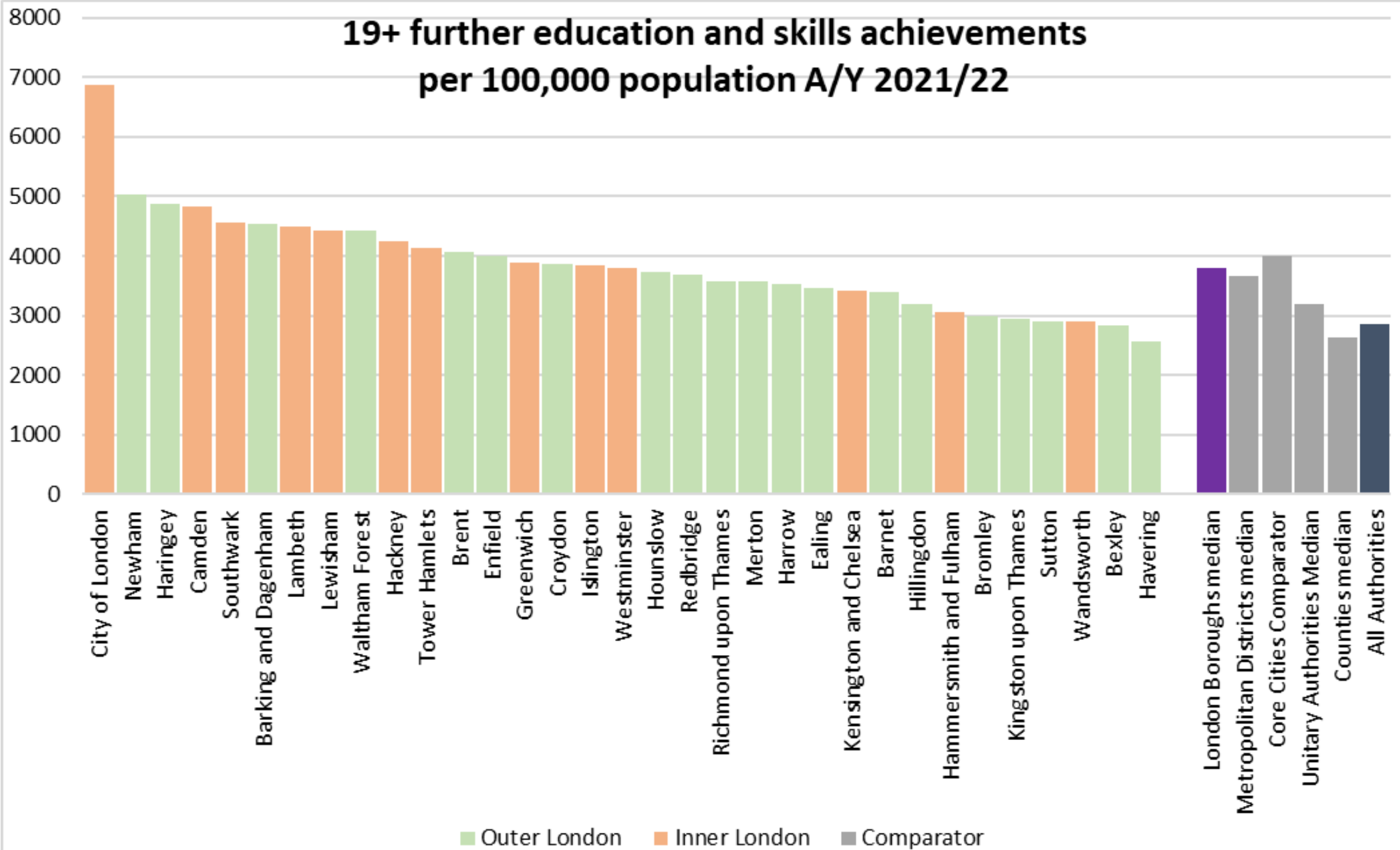
# Adult skills metrics - context

Individual local authorities lack the direct levers to influence these indicators – London boroughs receive funding as Adult Community Education providers from the GLA and then deliver adult community learning locally. But they are often one of many providers – the bulk of the Adult Education Budget (AEB) goes to colleges, as well as some going to Independent Training Providers.

Whilst the GLA and combined authorities have a few more levers to influence qualifications levels (as they commission and set ruling rules for the AEB); again they are responsible for only a small part of the post-16 skills system. They (and boroughs) have no control over apprenticeship funding and policy; 16-18 provision or careers advice and guidance. These are key parts of the system that are not controlled by local government.

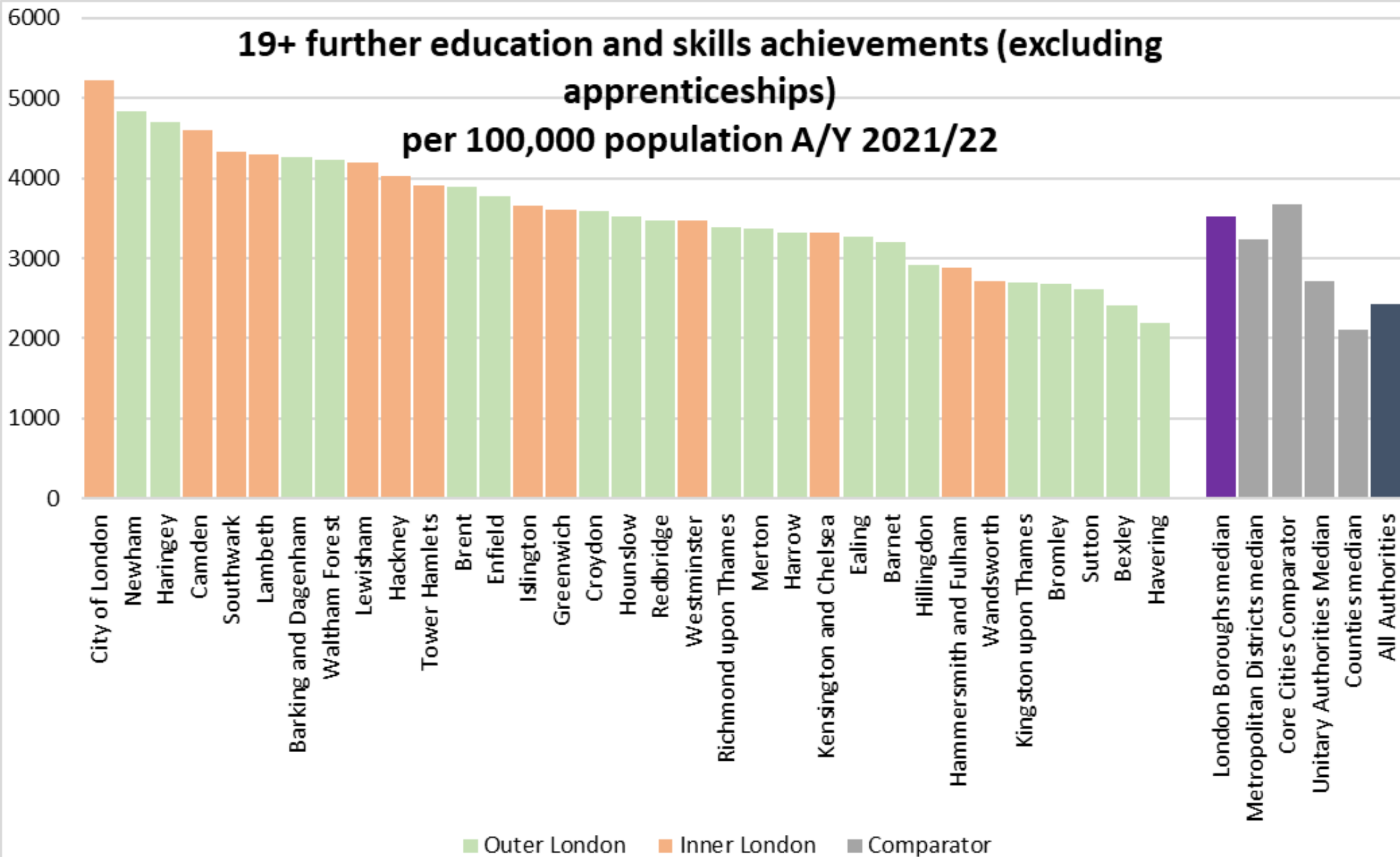
Likewise, measures such as the proportion of the population qualified to Level 3 and above is dependent on population change and demographics. London has consistently performed well on this measure because, as a global city, it attracts well qualified workers.

## 19+ further education and skills achievements per 100,000 population A/Y 2021/22

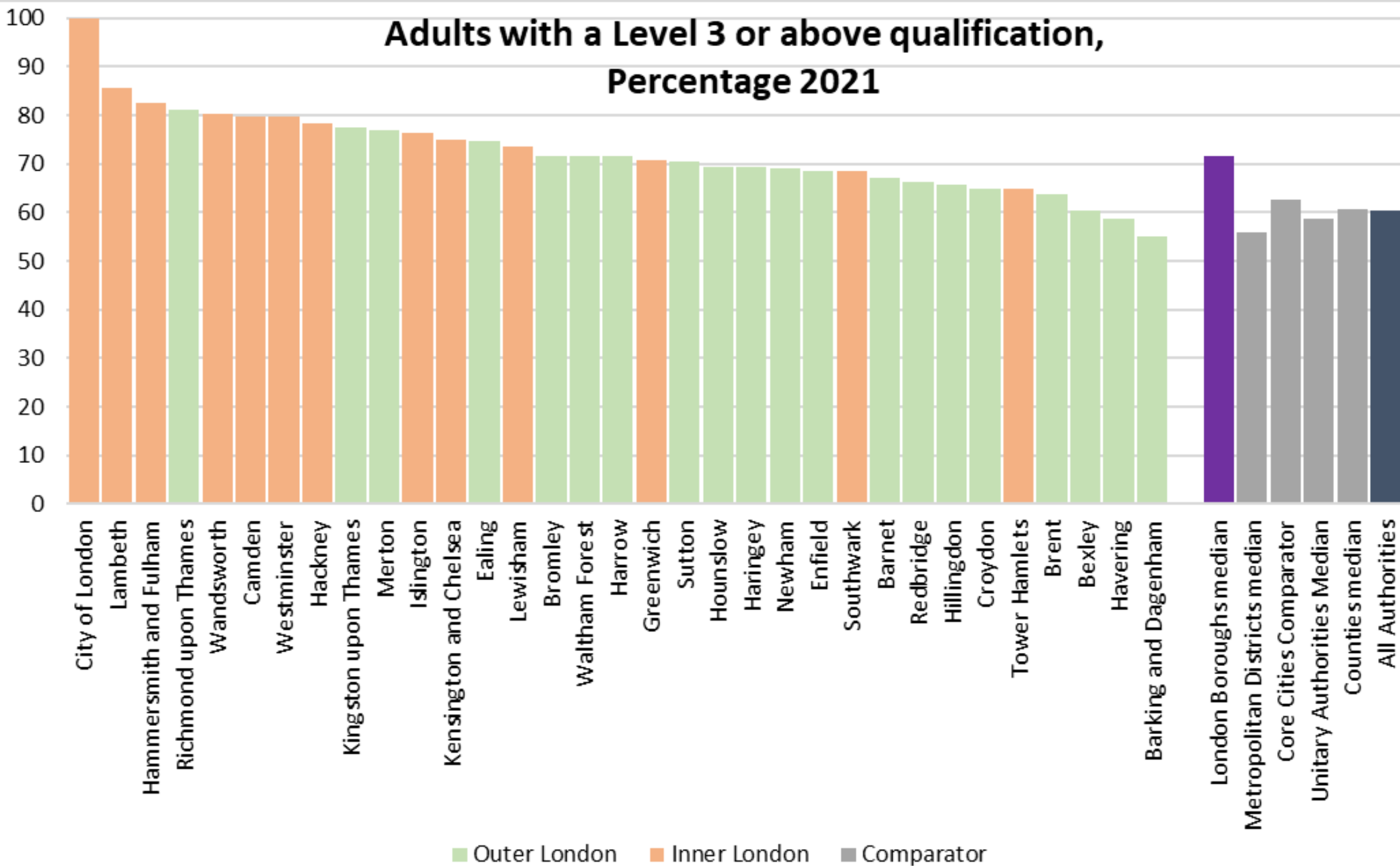


# 19+ further education and skills achievements (excluding apprenticeships)

per 100,000 population A/Y 2021/22



## Adults with a Level 3 or above qualification, Percentage 2021



# Finance metrics

No	Metric
1	Reserves as a percentage of Net Revenue Expenditure
2	Reserves as a percentage of service spend
3	Total Core Spending Power per dwelling
4	Level of Band D council tax rates
5	Council tax revenue per dwelling
6	Social care spend as % of Core Spending Power
7	Debt servicing as % of Core Spending Power
8	Total debt as % of Core Spending Power

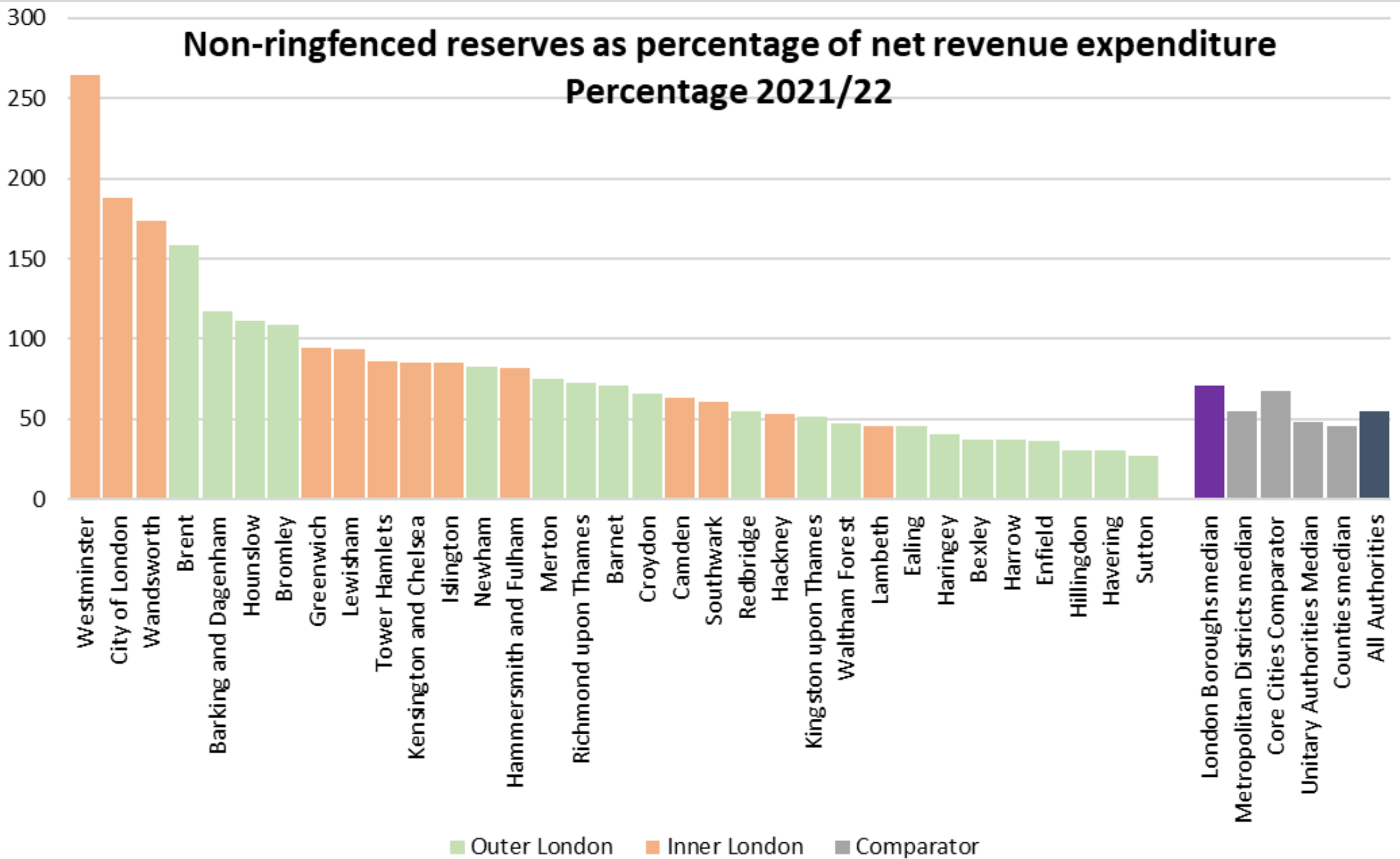


# Finance metrics analysis

- Financial reserve levels are a key measure of financial resilience. All councils are different and hold reserves for different reasons subject to their local context. For example, relating to capital programmes, regeneration projects and the different approaches to service delivery. They face different risks relating to their income profiles and the relative volatility of different funding streams.
- The two reserves measures use net current expenditure and an adjusted measure of service expenditure as the denominators to work out reserves as a % share of spending. Both are net of locally generated income including sales, fees & charges which London boroughs are more reliant on than other areas. Boroughs determine reserves levels based on the associated risks to their total (gross) budgets, which partly explain why reserves as a share of net spending appear higher for London boroughs compared with other areas. When compared as a share of gross spending, boroughs' reserves are around the England average.
- Debt levels, and councils' ability to finance debt, also have a relationship to financial resilience. London boroughs may have larger levels of total debt because of the high costs and scale and complexity of some regeneration projects in the capital.
- Social care has grown as a share of total spending for all authorities since 2010. As social care is a core statutory service driven to a large extent by local demographic demand, the greater the proportion of a council's budget goes towards social care the fewer levers it has to address other services. This measure, alongside others, may be an indicator of relative financial resilience.
- The other three measures are not related to financial resilience per se but are comparative funding measures. The level of Band D council tax rates in 2023-24 is, to a significant extent, dependent on historic decisions and circumstances which may have changed over the last 30 years since council tax was last revalued. Especially since 2011 when council tax was effectively capped by the introduction of referendum limits.
- Council tax revenue per dwelling shows the overall amount of council tax generated per chargeable dwelling. Rather than the band D charge, this measure takes some account of the number of dwellings in an area and their value.
- Core Spending Power does not represent all local government funding – for example it doesn't include public health or homelessness grants, and it also assumes all councils collect their target level of business rates (in reality most are above target but a few are below). The Core Spending Power per dwelling measure should therefore be viewed with a degree of caution as it doesn't show the full extent of resources available in each area.
- It is not obvious why measures of net revenue spending are used for the reserves measures, but Core Spending Power is used in the debt and social care measures.

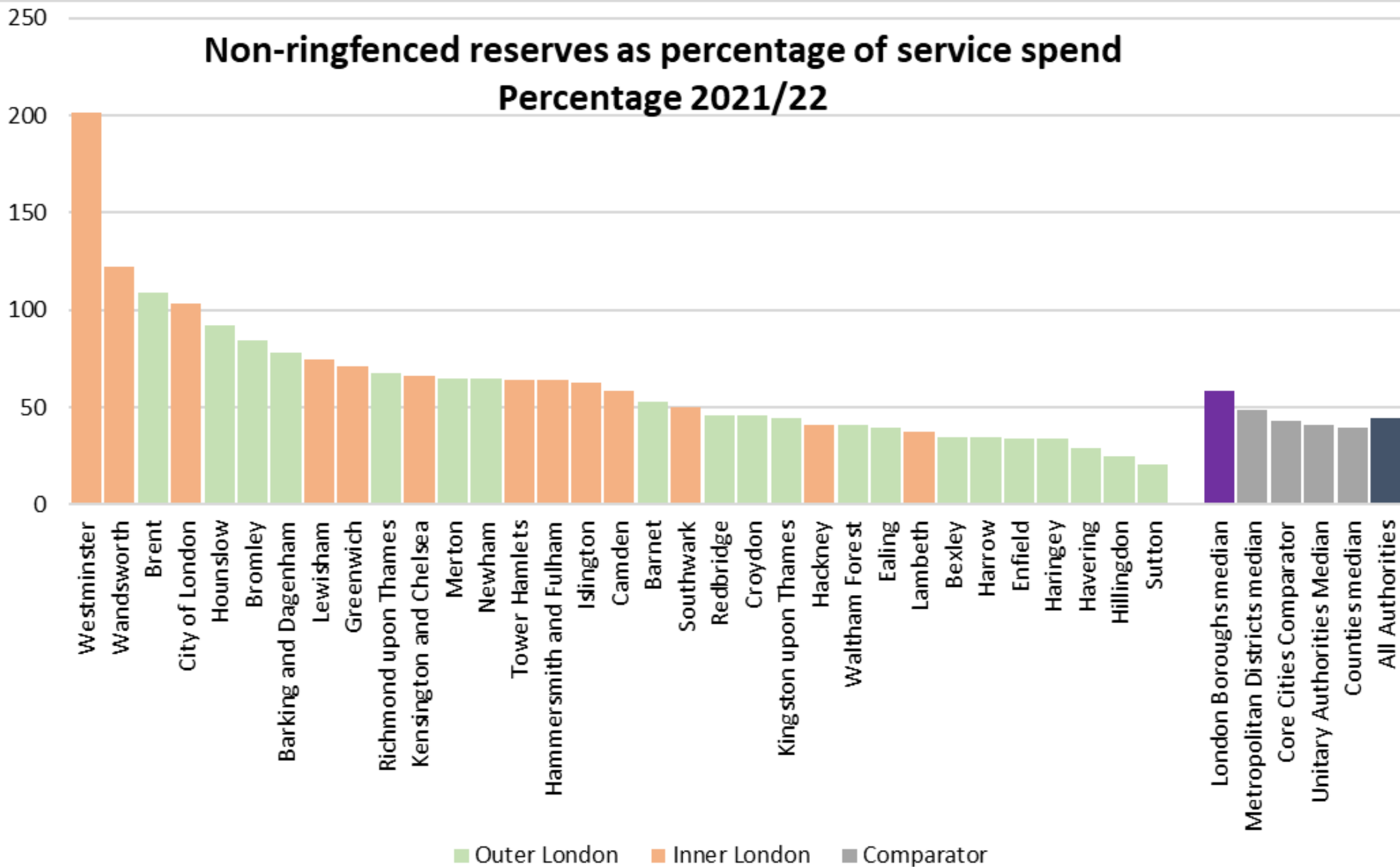
# Non-ringfenced reserves as percentage of net revenue expenditure

## Percentage 2021/22

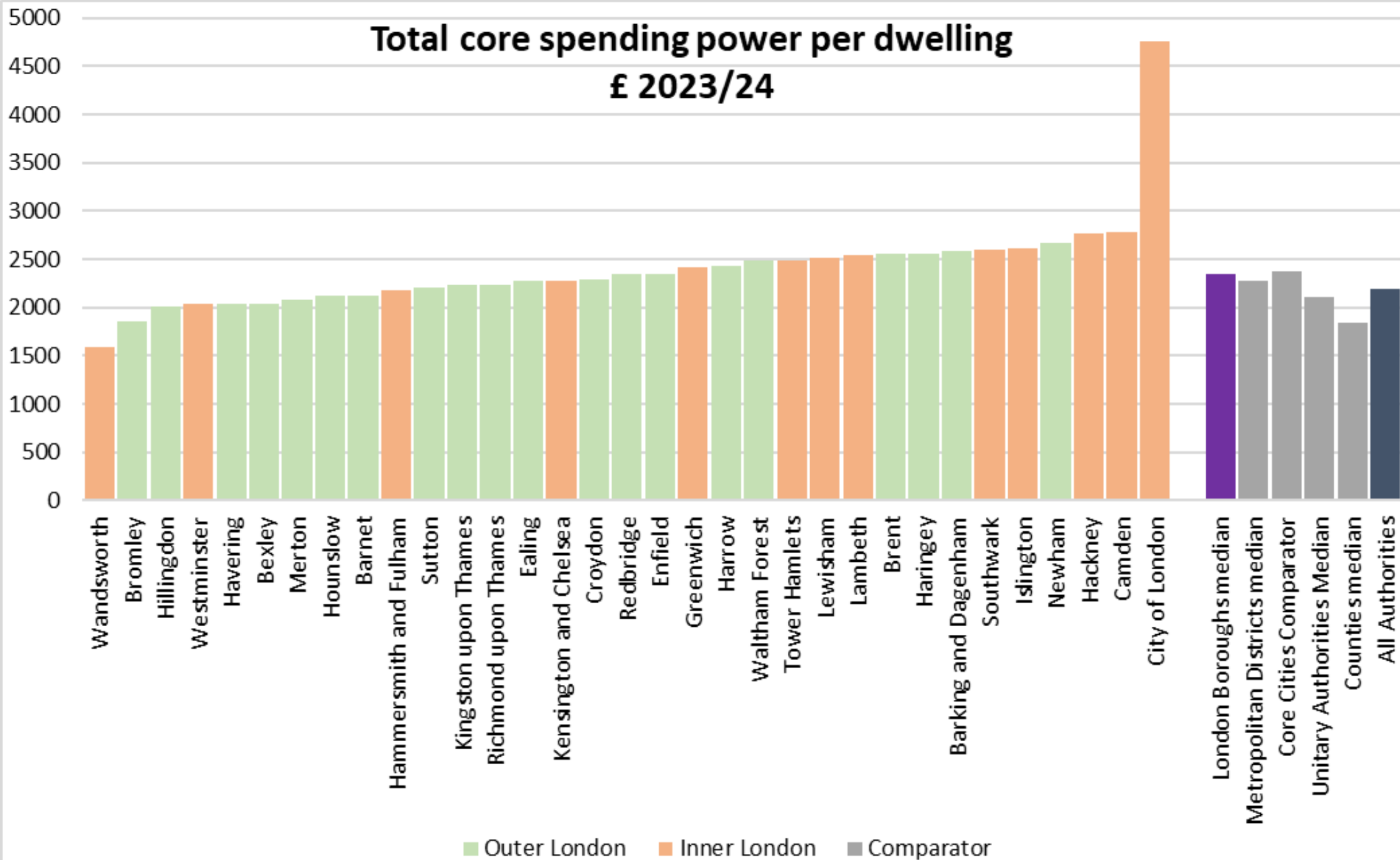


# Non-ringfenced reserves as percentage of service spend

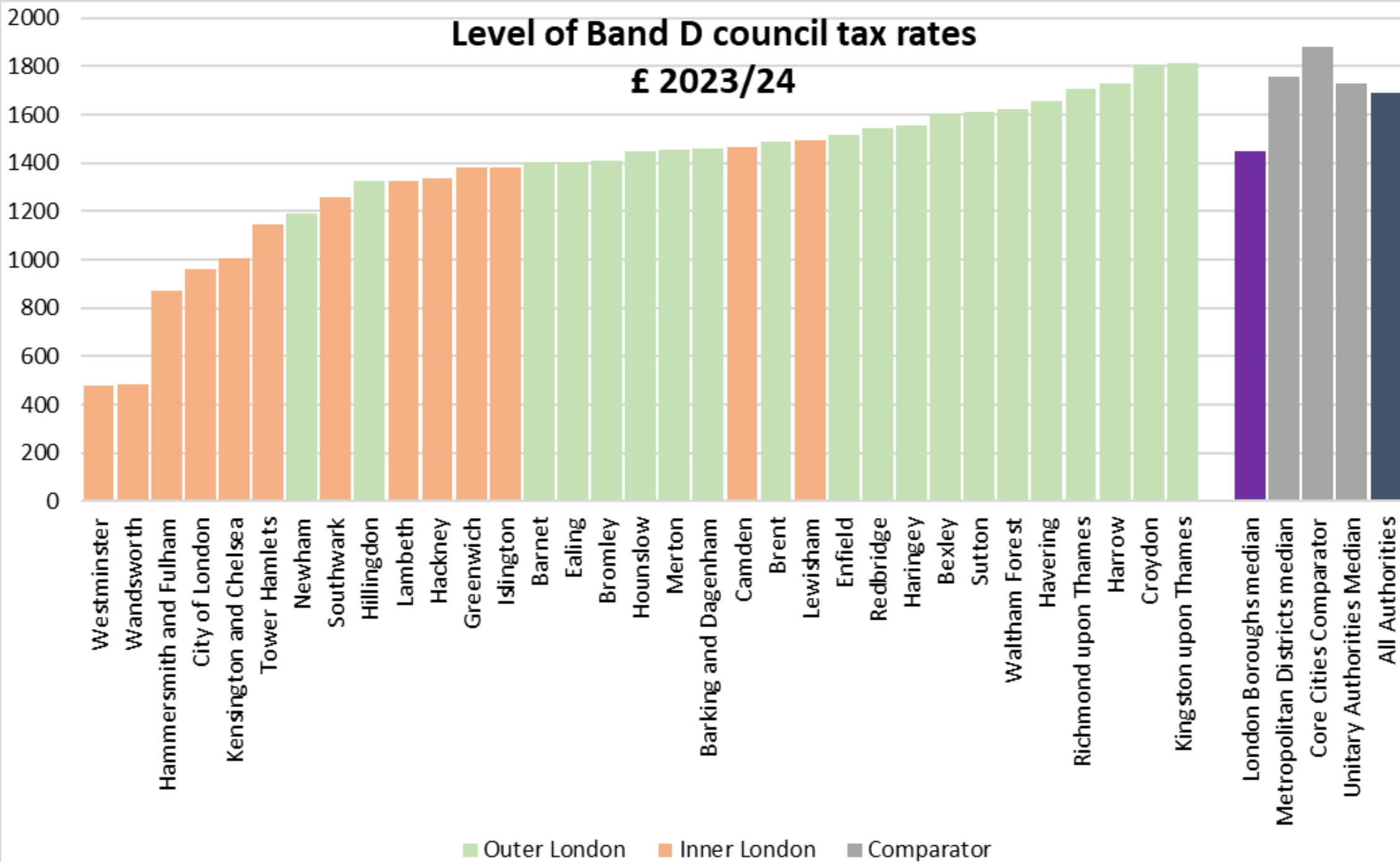
## Percentage 2021/22



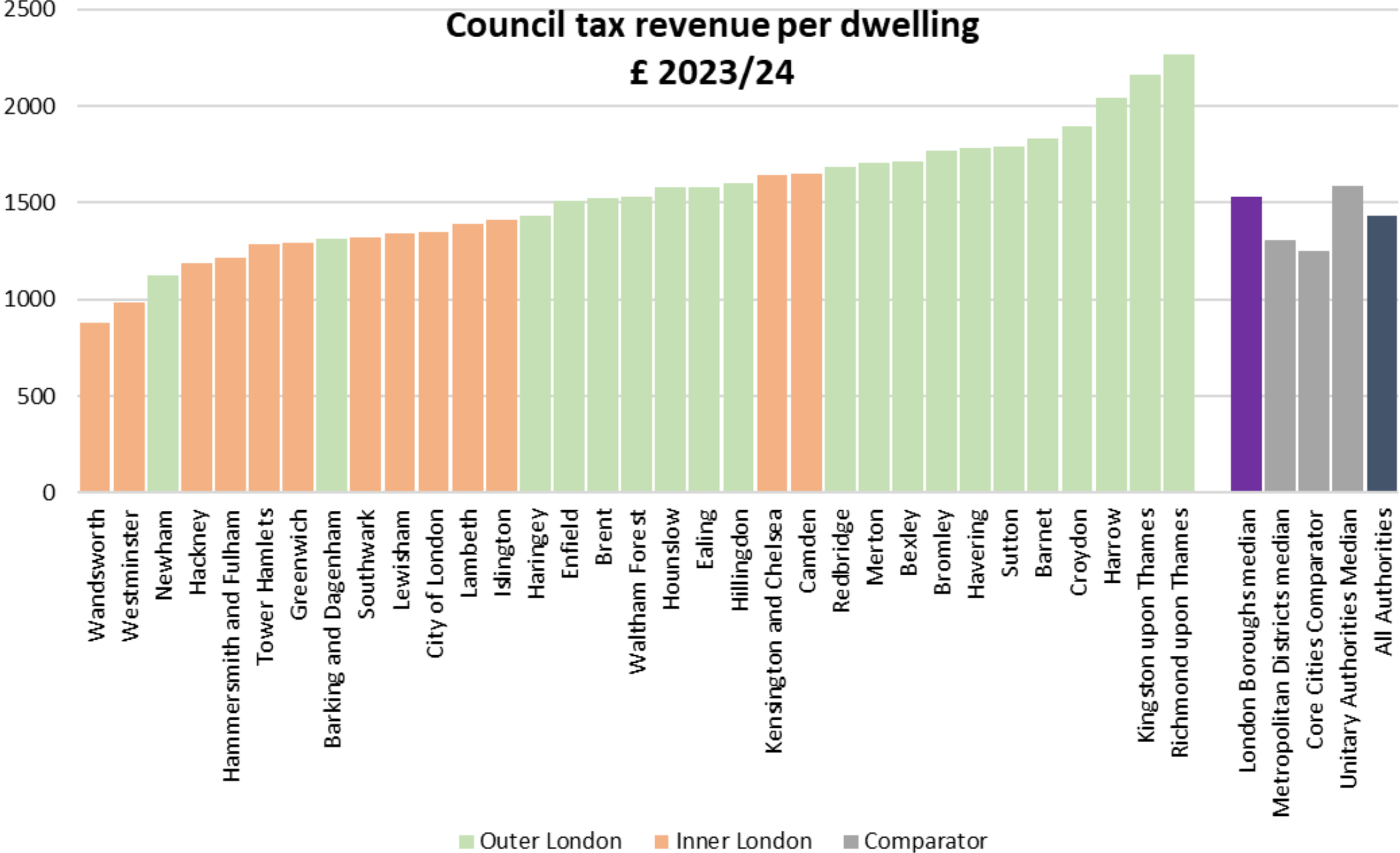
## Total core spending power per dwelling £ 2023/24



## Level of Band D council tax rates £ 2023/24

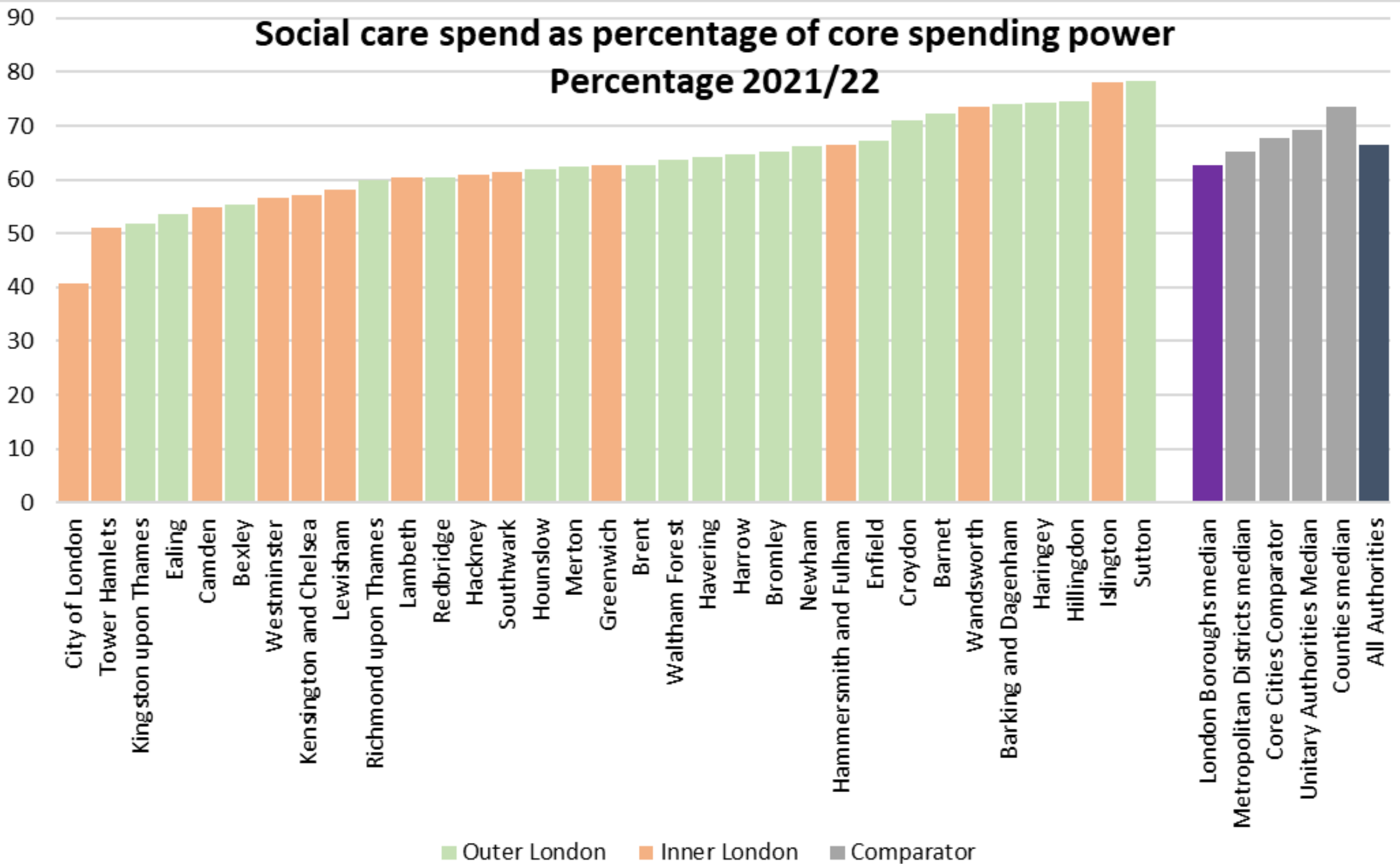


# Council tax revenue per dwelling £ 2023/24



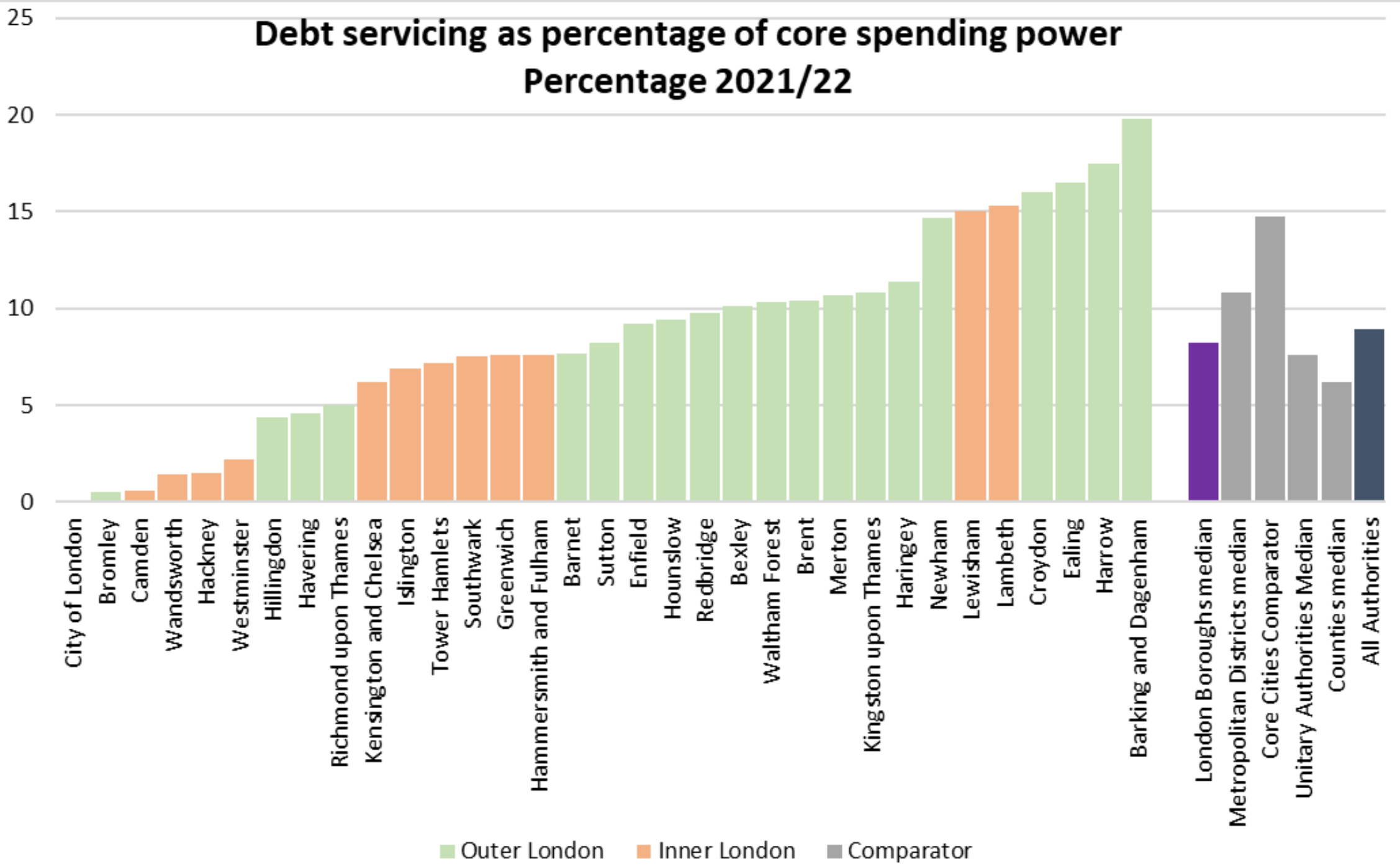
# Social care spend as percentage of core spending power

## Percentage 2021/22



# Debt servicing as percentage of core spending power

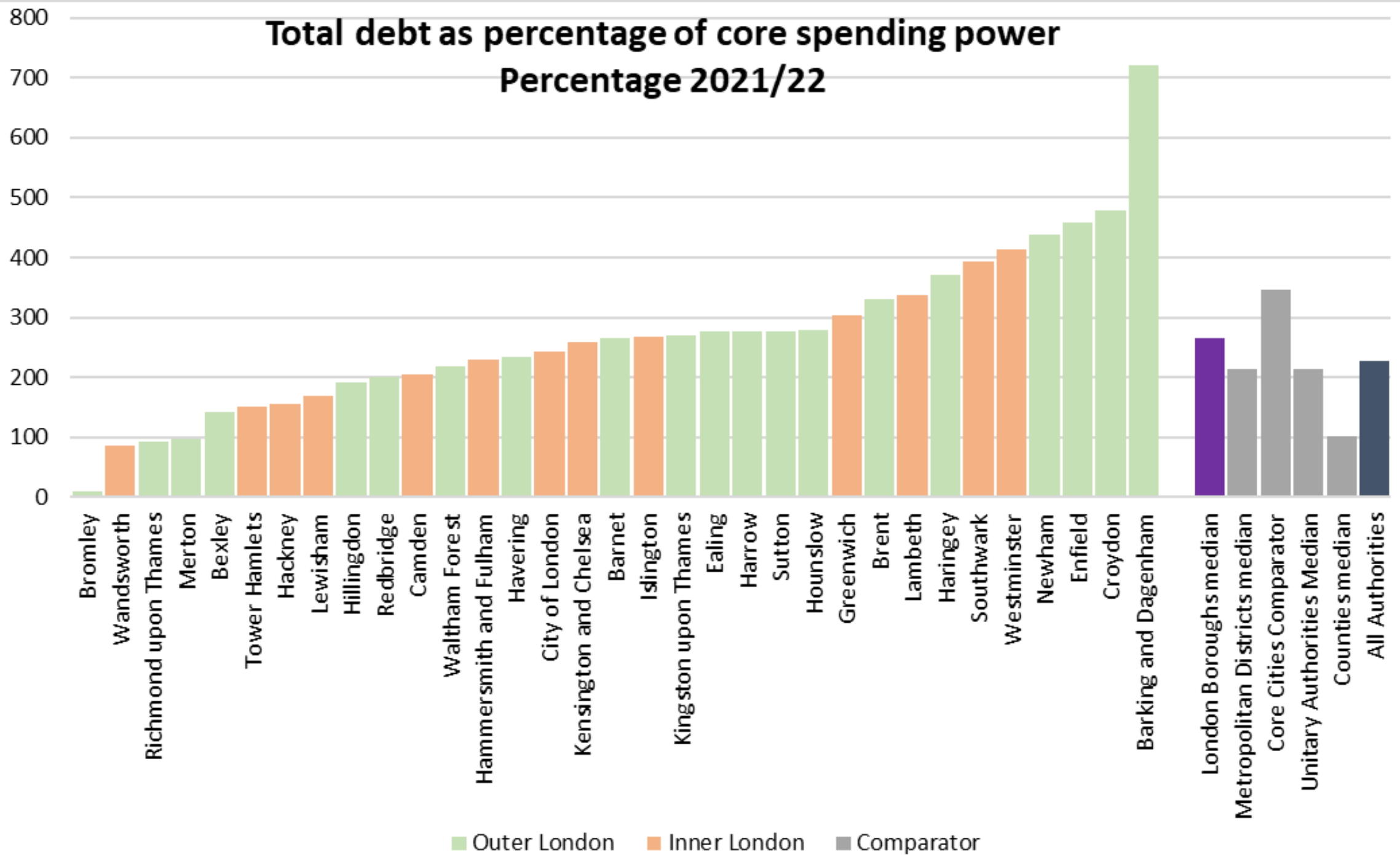
## Percentage 2021/22





# Total debt as percentage of core spending power

## Percentage 2021/22



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# Agenda Item 9

Report No.

London Borough of Bromley

PART 1 - PUBLIC

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**Decision Maker:** Executive  
Following Pre-Decision Scrutiny by ERC PDS 18<sup>th</sup> September 2023

**Date:** 20<sup>th</sup> September 2023

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

**Title:** BIGGIN HILL AIRPORT NOISE ACTION PLAN UPDATE

**Contact Officer:** James George, Airport Monitoring Officer  
Tel: 02083134565 E-mail: James.George@bromley.gov.uk

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

**Ward:** All

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## 1. REASON FOR REPORT

- 1.1 At the meeting of the Executive on 8 February, officers, in consultation with the Portfolio Holder for Resources, Commissioning and Contract Management, were authorised to work with Biggin Hill Airport Limited (BHAL) regarding the Noise Action Plan, with the objective of agreeing enhancements to improve the situation for residents under the flightpath.
- 1.2 It was also agreed that an update would be provided back to the Executive after six months.
- 

## 2. RECOMMENDATION(S)

- 2.1 Note that a specialist aviation consultant, Vanguardia, has been appointed to advise the Council on the Noise Action Plan and best industry standards around noise reduction and abatement.
- 2.2 Note that correspondence with BHAL is ongoing and a further update will be reported back to the Executive in January 2024. The Council is working towards reaching a substantive agreement on the Noise Action Plan and related matters by that date.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
- 

### Transformation Policy

1. Policy Status: Existing Policy
  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 people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
    - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
    - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- 

### Financial

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

### Personnel

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

### Legal

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

### 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): Residents in wards overflowed by aircraft using Biggin Hill Airport are affected by its operations.
- 

### Ward Councillor Views

Have Ward Councillors been asked for comments? This report has been circulated to Councillors in Biggin Hill, Bromley Common and Holwood, Chelsfield, Darwin, Farnborough and Crofton, Hayes and Coney Hall, Orpington and Petts Wood and Knoll.

### **3. COMMENTARY**

#### **3.1 Negotiation progress**

3.1.1 Following the Executive Committee on 8 February, the Council has been in correspondence with BHAL around the Noise Action Plan. After several rounds of correspondence, a meeting was held at the Council's request between senior representatives of BHAL and of the Council, where both sides outlined and discussed their respective positions. The Council was represented at this meeting by the Portfolio Holder for Resources, Commissioning and Contract Management, the Leader, the Chief Executive, and the Director of Corporate Services and Governance.

3.1.2 Since this meeting, correspondence has continued and it is envisaged that further meetings will be held over the coming weeks and months to discuss measures that could be mutually agreeable, including in relation to the Noise Action Plan.

#### **3.2 Consultant appointment**

3.2.1 Due to the high importance of the noise related measures being examined and the necessity from the Council's perspective for such measures to be effective and efficient at improving the situation of residents under the flightpath, the Council has sought specialist aviation and noise advice.

3.2.2 Following a competitive tender process and subsequent interviews, a specialist aviation consultant, Vanguardia, has been appointed to advise the Council on the Noise Action Plan and best industry standards around noise reduction and abatement.

3.2.3 The consultant is an aviation noise expert with over 35 years' experience providing noise, vibration and acoustic services to national and local government, regulatory bodies and in the private sector.

3.2.4 Following the appointment, the aviation and noise consultant was briefed in detail about Biggin Hill Airport and the Noise Action Plan, including the concerns of residents under the flightpath.

3.2.5 The consultant has met with representatives of the Council and reviewed the Council's emerging proposals for enhancing the Noise Action Plan, as initially set out in the Officer Report to the Executive of 8 February. Building on this, the consultant is also providing detail of best industry practice that could further reduce noise and benefit residents under the flightpath. These measures have and are being considered by officers and senior council representatives as discussions with BHAL continue.

3.2.6 The consultant will continue to assist the Council with the ongoing correspondence with BHAL.

#### **3.3 Noise Action Plan engagement**

3.3.1 Many residents and resident groups have been in contact with the Council to share their views and thoughts on measures that would improve the situation of residents under the flightpath. Much of this resident feedback was included in the Officer Report to the Executive of 8 February.

3.3.2 Since this meeting, further feedback from residents and resident groups has also been received on the potential measures included in this report. This feedback is being reflected on

as the Council continues discussions with BHAL, alongside the input provided by the Council's aviation and noise consultant.

- 3.3.3 Residents will be given the opportunity to provide feedback on any prospective agreement with BHAL around the Noise Action Plan or related matters prior to any finalisation of this agreement.

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

- 4.1 There is no impact to Vulnerable Adults and Children in respect of the services the Council delivers in this regard.

#### **5. POLICY IMPLICATIONS**

- 5.1 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.
- 5.2 For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
- 5.3 For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
- 5.4 For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
- 5.5 To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

#### **7. LEGAL IMPLICATIONS**

- 7.1 Please refer to the full legal implications set out in the Executive report of 12 January 2022.
- 7.2 Note that the Council has instructed external solicitors in addition to retaining the services of King's Counsel. Further legal advice will be provided as needed.

#### **Non-Applicable Sections:**

Background Documents:  
(Access via Contact Officer)

Financial, Personnel, Procurement and Property  
Executive Report on Biggin Hill Airport  
Noise Action Plan Review  
dated Wednesday 8 February 2023

Report No.  
HPR2023/051

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** FULL COUNCIL EXECUTIVE  
FOR PRE-DECISION SRUTINY BY EXECUTIVE, RESOURCES AND CONTRACTS  
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

**Date:** EXECUTIVE 20 September 2023

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

**Title:** HOUSING DELIVERY UPDATE

**Contact Officer:** Alicia Munday, Head of Regeneration  
Tel: 020 8313 4559 E-mail: Alicia.Munday@bromley.gov.uk

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

**Ward:** Multiple Wards

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## 1. Reason for decision/report and options

Following the Operational Property Review in November 2022, this report provides an update on the Council owned sites that have been earmarked for affordable housing development as well as an update on the Greater London Authority (GLA) grant for affordable home with recommendations in relation to progressing sites for social housing provision.

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## 2. RECOMMENDATION(S)

The Executive, Resources and Contracts Policy Development Scrutiny are asked to note the report and make any comments available to the Executive.

The Executive are asked to:

- 2.1. Approve accepting the revised Greater London Authority (GLA) Grant of £37,959k to support the delivery of 217 (note this is for the Grant, not the number that may be delivered) affordable homes through the indicative sites, set out below:
  - Bromley North
  - Beckenham
  - Bellegrove (subject to further feasibility works to be reported to the Executive)
  - Manorfields (subject to further viability assessment to be reported to the Executive)
  - Poverest (subject to further viability assessment to be reported to the Executive)

2.2. Approve external borrowing in relation to the financing requirements of the Bromley North and Beckenham capital financing requirements, as set out in section 6 of this report.

2.3. Executive are asked to Approve the following recommendations in relation to each site listed above:

### **Bromley North**

2.4. Subject to the determination of the Bromley North Planning Application, expected in October 2023:

- 2.4.1. Authorise the addition of the Bromley North Scheme to the Capital Programme at an estimate of £25.5m noting that this is the scheme cost, not the cost to the Council, and note that the Council is foregoing a potential capital receipt of £5.0m in relation to this site.
- 2.4.2. Approve the allocation of £515k of S106 funding towards the affordable housing element of the Bromley North Scheme.
- 2.4.3. Approve the acceptance of the £720k grant from the BLRF towards the Bromley North Scheme, delegating authority to the Director of Housing, Planning, Property & Regeneration in conjunction with Director of Corporate Services to agree legal matters related to the grant and discharge of conditions.
- 2.4.4. Approve award of contract, as set out in paragraphs 3.12 to 3.14, to the provider named in the Part 2 Report for multi-disciplinary consultancy services for RIBA Stages 3b to 7 of the Bromley North Scheme at an estimated whole life value as detailed in the Part 2 Report, noting there will be a break clause in the contract at RIBA Stage 4a should the scheme not progress to award of contract for construction works.
- 2.4.5. Note, as set out in paragraph 3.15, that Cost and Project Management services for the Bromley North scheme will be tendered separately to ensure stringent financial governance. The estimated value of those contracts is £390k and will, subject to Executive approval of the main recommendations, proceed to procurement and award within Officer delegated authority.
- 2.4.6. Approve proceeding to procurement, as set out in paragraph 3.11 and paragraphs 3.16 – 3.17, via a compliant route (either framework or closed tender process) for a works contractor for the initial enabling works for Bromley North at an estimated value of £720k in line with BLRF grant conditions, noting that the commencement of the enabling works contract will be dependent on award of contract for the main construction contract for the entire development of the scheme.
- 2.4.7. Approve, in principle as set out in paragraph 3.18, proceeding to procurement for the design and build works contract at the end of RIBA Stage 4a for the Bromley North scheme at an estimated value of £21m, with delegated authority to the Director of Housing, Planning, Property & Regeneration to approve the detailed procurement strategy in agreement with the Portfolio Holder, the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance, noting that award of contract and commencement of the scheme if considered financially viable will be subject to Executive decision in due course.
- 2.4.8. Approve the implementation, as far as possible, of recommendations 2.4.1 to 2.4.7 in the event of the Bromley North Planning decision being deferred, noting that no contracts will be awarded until and if Planning is secured; and noting that if the Bromley North Planning application is not granted then none of the recommendations will be taken forward.

### **Beckenham Site**

2.5. Subject to undertaking sufficient public engagement, approve the submission of the Beckenham Car Park (Appendix B) scheme to Planning, noting that the site has already been developed to RIBA Stage 3a. The Executive is also asked to note that if the scheme is not submitted within the near future, there is a risk that the surveys procured as part of the planning process will be superseded by forthcoming policies and will therefore need to be re-commissioned at an additional cost.



- 2.6. Authorise the addition of the Beckenham Site to the Capital Programme at an estimate of £15.2m noting that this is the scheme cost, not the cost to the Council, and note that the Council is foregoing a potential capital receipt of £0.9m in relation to this site.
- 2.7. Approve, in principle as set out in paragraph 3.23, proceeding to procurement for multi-disciplinary consultancy services for RIBA Stages 3b to 7 for the Beckenham Scheme at an estimated whole life value of £669k, with delegated authority to the Director of Housing, Planning, Property & Regeneration to approve the detailed procurement strategy in agreement with the Portfolio Holder, the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance, noting that award of contract will be subject to Portfolio Holder decision in due course.
- 2.8. Note, as set out in paragraph 3.24, that Cost and Project Management services for the Beckenham scheme will be tendered separately to ensure stringent financial governance. The estimated value of those contracts is £167k and will, subject to Executive approval of the main recommendations, proceed to procurement and award within Officer delegated authority.

### **Bellegrove, Manorfields and Poverest Sites**

- 2.9. Approve that feasibility funding for sites now added to the capital programme (West Wickham, Bromley North and Beckenham) are 'refunded' from the relevant capital budgets to allow detailed feasibility for Bellegrove, as well as further scoping for Manorfields and Poverest sites.
- 2.10. Approve, in principle as set out in paragraph 3.27 – 3.29, proceeding to procurement for multi-disciplinary consultancy services for RIBA Stages 2 to 7 for the Bellegrove Scheme at an estimated whole life value of £1.5m, with delegated authority to the Director of Housing, Planning, Property & Regeneration to approve the detailed procurement strategy in agreement with the Portfolio Holder, the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance, noting that award of contract will be subject to Executive decision in due course, including detail on break clauses within the contract should the scheme not progress.
- 2.11. Note, as set out in paragraph 3.30, that Cost and Project Management services for the Bellegrove scheme will be tendered separately to ensure stringent financial governance. The estimated value of those contracts is £383k and will, subject to Executive approval of the main recommendations, proceed to procurement and award within Officer delegated authority.
- 2.12. Approve that Bellegrove will commence a decant of the site from February 2024.
- 2.13. Approve bids for other grants towards housing schemes as may be available and appropriate.
- 2.14. Delegate Authority to the Director of Housing, Planning, Property & Regeneration in conjunction with Director of Corporate Services any legal matters related to the development of Council sites for housing, including Land Appropriation matters for both planning purposes and appropriation into the Housing Revenue Account upon completion of the schemes.
- 2.15. Delegate Authority to the Director of Housing, Planning, Property & Regeneration in conjunction with Director of Corporate Services and Director of Environmental Services relating to any matters of road adoptions or works with TFL as part of the Housing Schemes listed.
- 2.16. Note that a decision not to continue with any of the sites listed will result in a return of the GLA grant and/or the BLRF grant.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: see report
- 

## Transformation Policy

1. Policy Status: Existing Policy
  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 people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
    - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- 

## Financial

1. Cost of proposal: £25.5m Bromley North and £15.2m Beckenham capital cost, £1.5m feasibility costs re Bellegrove
  2. Ongoing costs: net saving £140k re Bromley North (year 1), net saving £10k re Beckenham (year 1)
  3. Budget head/performance centre: Capital Programme
  4. Total current budget for this head: Total £310.9m over the five years 2023/24 to 2027/28
  5. Source of funding: External borrowing, GLA grant, S106, BLRF grant, Housing Investment Fund, private residential sale receipts
- 

## 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:
  2. Call-in: Applicable:
- 

## Procurement

1. Summary of Procurement Implications:
- 

## Property

1. Summary of Property Implications:
- 

## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications:
- 

## Impact on the Local Economy

1. Summary of Local Economy Implications:
- 

## Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications:
- 

## Customer Impact

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

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments:

### 3. COMMENTARY

- 3.1. As set out in the Housing Strategy 2019 - 2029, the Council faces severe housing pressures and has been working over the last 3 years to increase housing supply through building housing programmes on Council owned sites. Provision of new quality homes provides not only affordable homes for residents in Bromley but prevents the use of revenue budgets being used on Temporary Accommodation. Whilst the cost of building homes has been affected by turbulent market conditions, so has supporting families into expensive temporary accommodation or relocating families outside of the Borough. In 2021-22 120 homes were delivered in Bromley against a target of 774, highlighting delivery of housing even in private development has been significantly impacted. Provision of good quality, value affordable accommodation in the borough is essential if the Council is to reduce the current pressures on revenue budget and manage future demand for services. Building Council homes also provides vital opportunities for regeneration of key locations across the Borough.
- 3.2. Within the borough of Bromley, there are approximately 1580 households in Temporary Accommodation, which is set to continually increase at around 21 new households per month. Of these 1,100 households are in costly forms of nightly paid accommodation, which has proven to be unsecure, and therefore potentially detrimental to the health and well-being of the individuals residing in these properties. Temporary Accommodation has been put under severe pressure, and not only has become more costly but also supply is drying up creating even further pressures in the system.
- 3.3. TA costs have risen from circa £6.5k per family per year, to closer to £8.3k and are expected to rise further. Recent work undertaken by the Strategy and Performance team has identified that Bromley has seen significant increases in use of nightly paid accommodation, 69% increase since March 2023 to present, and currently is one of the highest users of TA in London. The Council has previously committed to reduce the use of the TA both for residents and to reduce long term financial pressures.
- 3.4. The Council has committed to delivering affordable homes through direct delivery, acquisitions, and potentially joint ventures. The Council made the decision in 2020 to reopen the Housing Revenue Account, and completed 60 new homes across 3 sites, by 2022 as a Phase 1. A further 49 homes are on site now, and due for completion later this year and next year in both Orpington and West Wickham, as phase 2. Whilst these homes are currently held in the General Fund with a secretary of state exemption it is expected that they will transfer to the Housing Revenue Account in the future.
- 3.5. To support further housing delivery, the Council entered a funding contract with the GLA in March 2022 (following Executive Approval HPR2022/006). This approved an allocation of £37.9m of grant funding to support the delivery of 500 homes. The Council, along with other London Boroughs have identified to the GLA that it is no longer viable to deliver this number of homes with this level of grant given the increased cost pressures on construction. The GLA recognise these pressures and the Council has submitted a variation to the GLA which has now been approved that will mean the same grant contribution will be for the delivery of 217 homes, this provides a further contribution towards each dwelling of circa £100k compared to the previous bid. The Council is required to confirm to the GLA by the end of September 2023 where it will utilise this funding and on what schemes, given the tight timescales of delivery by March 2026.
- 3.6. Given the rising costs of materials and shortage of labour, the financial viability of delivering housing schemes has become increasingly challenging. However, cost pressures are not exclusive to the construction industry, and operational housing pressures are increasing, as mortgage rates rise and rent levels increase, and this has been evident with a significant increase in costs for Temporary Accommodation. As households continue to face rising cost pressures, this is likely to add further pressures to Council services and budgets. Whilst there are some indications that the market in relation to construction is beginning to settle, given the time it takes to get a site to planning and then to build, pausing sites at this time of financial turmoil needs to be balanced against the statutory need for the Council to provide housing. Pausing sites at this point, will mean they are unlikely to be developed in time to be supported by the GLA grants, and there are no guarantee costs will decrease, but it is a certainty pressures remain and are likely to increase.
- 3.7. Up until now, Council Housing sites have been financially viable, as in the costs of delivering the sites are outweighed by the benefits realised through Temporary Accommodation savings. Once the sites transfer to the HRA (as would be required once the Council delivers more than 199 dwellings) this is

more challenging, as the benefits of Temporary Accommodation Savings will be retained in the General Fund rather than the HRA. However, it may be possible to manage some initial costs relating to feasibility and demolition in the General Fund, as well as financially support the HRA for a short for a period of time with the permission of DLUHC.

- 3.8. Overall Members will need to consider the pressures on the revenue budget in the Council General Fund from insufficient housing, and risk of not meeting statutory duty in provision of housing against the material cost of delivery of housing. Whilst acquisition programmes have previously been successful the market for this is also not sustainable, and ultimately does not provide more housing that is essentially needed. Members should also consider that there is currently significant financial support available for delivery of affordable housing, that may not be available longer term, which is driving a timely decision. The Council has not factored any of these sites into the sale of assets to secure capital receipts, all sites were included in the Operational Property Review (Executive November 2022 for delivery of housing).

### **Phase 3 housing sites include the following locations:**

#### **Bromley North (Appendix A)**

- 3.9. Bromley North is the site included in Appendix A and makes use of Council owned car park. This is a complex site as the Council does not own all of the allocated site. Given the various land ownership on the site, there have been numerous proposals for many years to help bring the site forward for development, including looking to sell the Council owned site to an agent who has a development agreement with the other owners, and the Council even purchasing the remaining site. None of these options previously explored have been successful. It was therefore agreed by the Executive in June 2021 (Report No: HPR2021/037) that this site would be developed as a standalone site but working in partnership with the agents Wilmot Dixon who have a development agreement on the remaining components of the land. Following community engagement, a planning application by Bromley was submitted in April 2023 and is due for consideration at the Development Control committee in October.
- 3.10. As outlined within Appendix A, the development site forms part of the Site 2 Allocation within the Local Plan and is currently used as a Pay & Display carpark, providing 83 parking spaces. Although there is a potential loss of income to the Council of circa £50k per year through the forfeiture of the existing carpark for the proposed housing development, the Local Plan does not stipulate that the existing parking provision would need to be provided, due to the surplus provision of other nearby privately owned carparks within the area. Therefore, this income to the Council has always been at risk regardless of any proposed development due to capacity in locality and changing needs; management of residents' carparking requirements within the area can be met by alternative privately owned locations, whilst the Council's statutory duty to provide housing cannot. The Council has also undertaken additional work with Planners and the appointed Transport Consultant to ensure that other existing parking provision within the area can meet local parking demand through nearby privately owned carparks (noting that the Council will not benefit from any income from this displacement), should the development come to fruition.
- 3.11. Officers have also been successful in securing a further grant towards this site, from the Brownfield Land release Fund (BLRF) of an additional £720k. In order to make use of this funding, the enabling works contract would need to be signed no later than March 2024. Given the extensive work completed to date, subject to the outcome of the Planning Application, given the contributions of the GLA grant as well as the BLRF, officers are recommending that the Council approve a capital budget of £25.5m, with further detail set out in section 6 of this report.

#### **Procurement of Bromley North Scheme**

- 3.12. Procurement of a multi-disciplinary consultancy provider for design and technical services is required to progress the scheme through RIBA stages 3b – 7. The services within this contract are:
- Architect
  - Landscape Architect

- Civil & Infrastructure Engineer
- Structural Engineer
- MEP Consultant
- Fire Consultant
- Sustainability Consultant
- Acoustic Consultant
- Planning consultant
- Building Consultant

- 3.13. Following review of relevant compliant frameworks for this requirement, a suitable Crown Commercial Services framework was selected for the procurement and award of contract for the multi-disciplinary consultancy contract. Providers awarded to the framework, following a compliant tender process, are required to state their fees in line with the fee range for the framework and current market rates. The framework allows direct award based on the stated fees and review and engagement with the available providers on the framework.
- 3.14. Following assessment of the providers offers on the framework, it is proposed to proceed to award of contract, via the direct award mechanism available through the framework, the provider named in the Part 2 Report. The rates provided by the recommended supplier are within budget and in line with expected fee for works of this value.
- 3.15. It is the project team's intention to separately appoint the Project Management, Quantity Surveying and Employer's Agent services as a separate commission, either via a Framework or compliant tender process, to help ensure stringent financial governance and management throughout the development of the scheme. The value of those three procurements is estimated to be £390k in total.
- 3.16. As set out in paragraph 3.11, grant funding of £720k has been made available to support enabling works for the scheme. There are stringent timescales associated with the use of the BLRF with a requirement to place an enabling works contract by March 2024. It is proposed that these works are tendered separately from the main construction works contract to allow procurement and award of contract to be completed within the timescale requirements. Commencement of the enabling works contract will be conditional upon award of contract for the main construction works and will be tendered on that basis. This addresses the financial risk of unnecessary expenditure on enabling works should the substantive works contract not proceed.
- 3.17. It is proposed to procure the enabling works at an estimated value of £720k either through a compliant framework (utilising direct award or further competition mechanisms) or through a compliant tender process. Should a tender process outside a framework be used for this requirement, Executive is asked to waive the Contract Procedure Rules requirement of an open tender for contracts above £100k. A closed tender process is recommended in which a minimum of three participants are directly invited to tender for the requirement. This approach will facilitate market engagement, market response and speed of tender, particularly given the condition that commencement of contract is subject to successful award of contract for the main construction works. The enabling works are below the threshold of the Public Contracts Regulations 2015 and so a closed tender is in compliance with the Regulations.
- 3.18. The substantive procurement will be for the Design & Build works contract at completion of RIBA Stage 4a at an estimated value of £21m. It is proposed to utilise a compliant procurement route, either through a framework or via a suitable tender process using a JCT Design & Build contract. This procurement will be concurrent with the procurement of the enabling works but the enabling works will not commence until award of contract for the Design & Build contract is confirmed, subject to Executive decision on the financial viability of the proposed scheme. The full details of the proposed procurement strategy are to be developed further and delegated authority, in agreement with the Portfolio Holder and relevant Officers, is sought for approval of the detailed procurement approach.

### 3.19. Indicative Timeline for Overall Development of Bromley North

<u>Action</u>	<u>Date</u>
20 <sup>th</sup> September 2023	Executive approve the recommendations outlined within this report and the project is added to the Capital Programme
5 <sup>th</sup> October 2023	Planning Permission Determined
2 <sup>nd</sup> October – 13 <sup>th</sup> November 2023	Tender period for RIBA Stages 3b – 7 consultants
13 <sup>th</sup> November – 8 <sup>th</sup> December 2023	Consultants review specification for initial enabling works contract (BLRF requirement)
11 <sup>th</sup> December 2023 – 5 <sup>th</sup> February 2023	Tender period for initial enabling works contract (BLRF requirement)
December 2023 – March 2023	RIBA Stage 4 main construction contract tender preparation
March 2023	Contract Award for enabling works contractor (BLRF requirement)
April 2024 – June 2024	Main construction tender period
July 2024 – August 2024	Main Construction Contract Award (including financial review and Exec authority to proceed)
August 2023 – November 2024	BLRF Enabling works underway
September 2024 – November 2024	Main Construction mobilisation (following completion and handover of initial enabling works)
November 2024 – June 2026	Main Construction Works
July 2027	Project completion and handover

### **Beckenham Car Park Site (Appendix B)**

3.20. This site is approximately 0.1 hectares and is situated to the rear of Beckenham Spa and Leisure Centre; it is essentially an underutilised car park comprising 44 parking bays, a detached two-story building and associated external portacabins. The site is quite complex given its proximity to the railway line but still offers an opportunity for development. The design work undertaken to date has developed a scheme that would improve the use of the site whilst remaining sensitive to the Local Conservation Area, offering a further contribution to the Council's affordable housing stock by up additional 40 dwellings.

3.21. As outlined within Appendix B, the development site is adjacent to the Beckenham Spa and forms part of the Pay & Display Beckenham carpark, utilising 44 of the existing 154 spaces. Environmental Services has advised that the area where the proposed development would be located is underused, and other existing spaces at the rear of the Spa complex could accommodate any displaced users. Therefore, the Council has been advised that any income loss because of forfeiture of the 44 Pay & Display spaces as a result of the proposed development adjacent to Beckenham Spa would be negligible.

3.22. An indicative high-level capital cost break down is included in section 6 of this report. It is recommended that the Executive approve the submission of the scheme to Planning subject to

further public engagement, noting that the site has already been developed to RIBA Stage 3.

- 3.23. As with the Bromley North scheme, procurement of a multi-disciplinary consultancy provider for design and technical services is required to progress the scheme through RIBA stages 3b – 7 at an estimated value of £669k. It is proposed to utilise a compliant procurement route, either through a framework or via a suitable tender process with suitable break clauses should the scheme not progress either at planning stage or if award of the substantive construction works contract does not proceed. The full details of the proposed procurement strategy are to be developed further and delegated authority, in agreement with the Portfolio Holder and relevant Officers, is sought for approval of the detailed procurement approach.
- 3.24. Similar to the Bromley North scheme, it is the project team's intention to separately appoint the Project Management, Quantity Surveying and Employer's Agent services as a separate commission, either via a Framework or compliant tender process, to help ensure stringent financial governance and management throughout the development of the scheme. The estimated value of those three procurements is £167k in total.

### **Bellgrove (Appendix C)**

- 3.25. This site is situated in St Paul's Cray, a former residential care home which closed down some time ago with the current building used for Temporary Accommodation, with shared facilities. During the height of covid it was difficult to utilise the site fully as people were unable to share facilities, namely bathrooms and kitchens. The site has numerous operational property issues which makes it difficult to manage as a temporary accommodation service. The site does not enable the wellbeing of residents, particularly families to reach their full potential, due to the sharing of facilities. This also creates safeguarding issues. Housing colleagues have confirmed the site is no longer suitable for TA use, and therefore will need to be closed this autumn, and people relocated elsewhere creating further pressures on housing and TA. Housing have also confirmed it has become increasingly difficult to provide management of this building given it's current condition. . For this reason the current TA savings cannot be profiled into the financial feasibility as they will not be available longer term.
- 3.26. Early feasibility for the site has indicated that the site could be fully redeveloped into permanent housing, providing 56 dwellings and permanent revenue savings. Further detail is provided within section 6 of this report. It is recommended that the Council approves feasibility funding to take this scheme to RIBA stage 3a.
- 3.27. Similarly, to the Bromley North and Beckenham schemes, procurement of a multi-disciplinary consultancy provider for design and technical services is required to progress the scheme through RIBA stages 2 – 7 at an estimated overall value of £1.5m. It should be noted that this estimated value is based on all RIBA stages being completed but the contract will be constructed with suitable break clauses at each relevant RIBA stage should the project not progress at any stage for any reason. It is estimated that the taking the project to RIBA Stage 3 will be £613k.
- 3.28. The break clauses will be applied as required to enable the Council to terminate the contract should budget not be available, the scheme isn't considered financially viable or if the Council wishes to retender the service. The continuation of the scheme past RIBA 3a will be dependent on a financial viability assessment, and a report will be taken to Executive to provide an update on the scheme before it is progressed post planning. Funding for the initial RIBA stages up to 3a will be available in the feasibility housing fund, once other sites that are being added to the capital programme have feasibility costs 'refunded'.
- 3.29. It is proposed to utilise a compliant procurement route, either through a framework or via a suitable tender process. The full details of the proposed procurement strategy are to be developed further and delegated authority, in agreement with the Portfolio Holder and relevant Officers, is sought for approval of the detailed procurement approach.
- 3.30. Similar to the other schemes, it is the project team's intention to separately appoint the Project Management, Quantity Surveying and Employer's Agent services as a separate commission,

either via a framework or compliant tender process, to help ensure stringent financial governance and management throughout the development of the scheme. The estimated value of those three procurements is £383k in total. It should be noted that this estimated value is based on all RIBA stages being completed but the contract will be constructed with suitable break clauses at each relevant RIBA stage should the project not progress at any stage for any reason. It is estimated that the taking the project to RIBA Stage 3 will be £153k.

### **Manorfields (Appendix D)**

- 3.31. Located in Orpington, similar to Bellegrove, this is a Temporary Accommodation facility. The site has a significant backlog maintenance reported in the Operation Property Review. Similar to Bellegrove the site can fully redeveloped to provide permanent housing, and early feasibility indicates this could provide approx. 37 dwellings. This scheme will continue to be considered for viability in future reports.

### **Poverest Adult Education Site (Appendix E)**

- 3.32. Located in St Mary Cray, close to the Nugent Shopping Centre and next to Poverest Primary School is Poverest Adult education Centre. The Centre is well used and provides unique training opportunities for adults, with a high number of courses for adults with learning difficulties and disabilities. The Operation Property Review has identified substantial repairs needed to the centre, and it will become increasingly difficult and costly to maintain. The site itself is also under utilised (per sq/m rather than the College, which is a well-used and regarded facility). There would be restrictions on the future use of the land, which would mean re-providing the adult education facility would be required (or other identified needed education facility). A feasibility study has therefore considered the re-provision of Adult Education facility on the same site, whilst using the remaining site for housing. The early feasibility has indicated that a new purpose-built adult education facility could be re-provided over 2 fully accessible floors, alongside 40 residential units. This scheme will continue to be considered for viability in future reports.

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

- 4.1. Vulnerable children and adults will be supported through the provision of high-quality affordable housing that is suitable for individuals and families.

## **5. TRANSFORMATION/POLICY IMPLICATIONS**

- 5.1. The delivery of the schemes listed within this report will contribute to the Corporate Strategy to Make Bromley Even Better by meeting the following objectives:

- 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.
- For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
- For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
- To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

## **6. FINANCIAL IMPLICATIONS**

- 6.1. This report concerns five Council owned sites that have been earmarked for affordable housing development. The sites being Bromley North, Beckenham, Bellegrove, Manorfields, and Poverest.



Executive are asked to accept the revised Greater London Authority (GLA) Grant of £37,959k towards the delivery of 217 homes, across the 5 sites as set out, noting 3 of these sites (Bellegrove, Manorfields and Poverest) are subject to further viability and/or feasibility works. Officers will be required to work with GLA officers and return any grant not used within the conditions of the GLA Grant agreement (further detail is provided in section 3 of the part 2 report).

- 6.2. The viability of the affordable housing schemes has been assessed using an in-house viability model (see section b below). The options of (a) maintaining the sites in current use, or disposing of the sites (c) has also been considered to ensure members are informed of the full range of options and the indicative financial implications for each option.
- 6.3. In January 2023, the Executive approved the Council's Capital Strategy 2023/24 to 2026/27 (report FSD23001) and agreed that all new and existing Housing Schemes should be funded by long-term borrowing. Given the currently volatility in interest rates, the Director of Finance may utilise internal borrowing where possible as an interim measure, prior to securing external long-term borrowing. Any borrowing arrangements will be reported through the regular Treasury Management reports to the Executive, Resources and Contracts PDS committee.

a) Maintain sites in current use

	Bromley North	Beckenham	Poverest	Manorfields	Bellegrove	Total
	£'000	£'000	£'000	£'000	£'000	£'000
<b>Current Use</b>						
Current number of Temporary Accommodation units (no.)				52	39	91
Equivalent annual net cost (+) after liability works	-125	0	247	78	393	593

- 6.4. The above table shows that Bromley North is currently delivering a net income to the Council of c. £125k p.a. (from car parking and a commercial unit). In the case of Beckenham, because the car park is not at capacity, it can be considered that using part of the car park for site development would not result in any loss of income to the Council, a net nil position. For both Bromley North and Beckenham, there is no backlog maintenance liability.
- 6.5. In the case of Poverest, there is a backlog maintenance liability of c. £3m. It has been calculated that, if the site were to continue in current use, and the Council had to finance the maintenance works, there would be a net additional cost of £247k p.a. incurred through financing the maintenance works.
- 6.6. Manorfields and Bellegrove are currently providing 52 and 39 temporary accommodation units respectively. Manorfields has a backlog maintenance liability of c. £3.7m, and Bellegrove has a backlog maintenance liability of c. £3.5m. The sites are currently running at a net operating cost of £126k and £245k respectively, but are delivering savings (against current rates of temporary accommodation placements) of £407k and £183k respectively. If the Council were to finance the backlog maintenance for each site, it has been calculated that the net annual cost (including TA savings) to the Council for Manorfields would be £78k p.a. and Bellegrove £393k p.a.

b) Development appraisal

	Bromley North	Beckenham	Poverest	Manorfields	Bellegrove	Total
	£'000	£'000	£'000	£'000	£'000	£'000
<b>Housing Development appraisal</b>						
Potential number of social housing units (no.)	38	40	45	46	56	225
<b>Total Capital Costs</b>	<b>25,500</b>	<b>15,200</b>	<b>20,500</b>	<b>19,500</b>	<b>23,200</b>	<b>103,900</b>
Net Capital Cost (External Borrowing requirement)	3,996	8,240	12,670	11,496	13,456	49,858
Capital req. per affordable unit	105	206	282	250	240	222
<b>Total initial net cost/(benefit) (incl savings)</b>	<b>-140</b>	<b>-10</b>	<b>300</b>	<b>527</b>	<b>294</b>	<b>972</b>
Net cost / (income) after financing per affordable unit *	2	8	15	13	12	10
Net cost / (income) inc. savings and income loss per unit	-4	0	7	11	5	4
<b>Net present value savings (-) / cost (+) over 40 years</b>	<b>-7,370</b>	<b>-6,936</b>	<b>50</b>	<b>10,314</b>	<b>-266</b>	<b>-4,208</b>

- 6.7. The above table shows that the five sites have an estimated total capital cost of £103.9m to deliver affordable housing schemes (before application of GLA and other grants, and private sale receipts in the case of Bromley North). The net capital financing requirement, which is the amount of financing which the Council may have to use external borrowing to finance, would be approximately £49.9m. This would deliver a total of 225 social housing units at a capital requirement per unit of £222k.
- 6.8. The table further shows that in the first full year of operation (Total initial net cost/(benefit) (inc savings)), the Bromley North and Beckenham sites would be expected to deliver savings from year 1 of £140k and £10k respectively, whereas the three other sites would initially result in a net cost to the Council. The initial net cost / (income) per affordable unit is then shown for each site, firstly after financing costs are considered, and secondly after considering the existing use for each site and the savings on temporary accommodation costs through the new units provided.
- 6.9. The last line in the table shows the indicative Net Present Value of each prospective development to the Council over a 40-year period, using discounted cash flows. This shows that Bromley North, Beckenham and Bellegrove would deliver positive financial contributions to the Council of £7,370k, £6,936k and £266k, whereas Poverest and Manorfields would incur net costs of £50k and £10,314k over the 40 year period. This indicative analysis is sensitive to changes in future inflation and rent levels.

#### c) Disposal of sites

	Bromley North	Beckenham	Poverest	Manorfields	Bellegrove	Total
	£'000	£'000	£'000	£'000	£'000	£'000
<b>Disposal</b>						
Net capital receipt (net cost (+))	-5,000	-900	1,530	-2,900	-1,250	-8,520
Net cost / (income) after capital receipt	-225	-109	33	71	-70	-300

- 6.10. The five sites could be expected to deliver a net capital receipt of £8,520k if disposed of on the open market. In the case of Poverest, the negative figure of £1,530k reflects that fact that if the land surrounding the Adult Education Centre were to be sold to a developer (at an estimated receipt of £1,470k), the Council would then still need to incur the backlog maintenance costs of £3m on the AEC itself.
- 6.11. The second line in the table considers the overall annual benefit to the Council of disposing of each site, taking into account the annual interest earned on a capital receipt, the saving or cost from loss of each site in existing use, and the saving that could be achieved through nomination rights on social housing that could be secured on each site through planning agreements.

#### HRA financial implications

- 6.12. In July 2020 Council approved the setting up of a Housing Revenue Account (HRA) for the provision of affordable housing. The Council currently has an exemption from the Secretary of State to hold up to 199 properties in the General Fund rather than in the HRA, which has meant that the Council has not yet had to re-open the HRA.
- 6.13. If the Bromley North and Beckenham schemes are approved to proceed, the Council will still be under the 200 unit threshold and therefore can continue to hold the units within the General Fund. If, however, all five schemes detailed on this report were to proceed, delivering a total of 225 additional social housing units, then the threshold for re-opening the HRA would have been reached, and the Council will need to consider the detailed implications of this upon the HRA.
- 6.14. The Council cannot budget for a deficit in the HRA for any financial year and the General Fund cannot subsidise the HRA without a Secretary of State Direction. This poses a challenge for schemes where losses will be delivered in early years, before savings can be realised in later years. Furthermore, temporary accommodation is defined as a General Fund cost, so it will not be possible for the benefit of savings on TA to be recognised within the HRA. Also, any appropriation of land from the General Fund to the HRA will have to be assessed as to what, if any, transfer of funds must be made to compensate the

General Fund for the loss of that land, in accordance with the ring-fencing principle that there should be no cross-subsidy between the HRA and General Fund.

### Scheme specific financial implications

#### Bromley North

6.15. The report recommends the addition of the Bromley North Scheme to the Capital Programme, at an estimated gross capital cost of £25.5m. As part of the financing of this scheme, the report recommends the allocation of £515k of S106 funding towards the affordable housing element of the Bromley North Scheme, and the acceptance of the £720k grant from the BLRF. The breakdown of the estimated total scheme cost of £25.5m, and the financing, is set out in the table below.

	£m
<b>Costs</b>	
Construction	21.0
Contingency	2.1
Professional fees	1.9
Mayoral CIL	0.2
Borough CIL	0.3
<b>Total costs</b>	<b>25.5</b>
<b>Financing</b>	
GLA grant	-8.0
S106	-0.5
BLRF	-0.7
Private sale receipts	-12.3
External borrowing	-4.0
<b>Total financing</b>	<b>-25.5</b>

#### Beckenham

6.16. The report recommends the addition of the Beckenham Scheme to the Capital Programme, at an estimated gross capital cost of £15.2m. The costs and financing of the scheme can be summarised as follows:

	£m
<b>Costs</b>	
Construction	9.6
Contingency	1.4
Professional fees	1.1
Road adoption	0.8
Landscaping	0.8
Legal inc. Planning	0.9
Project Mgt	0.7
<b>Total costs</b>	<b>15.2</b>
<b>Financing</b>	
GLA grant	-7.0
External borrowing	-8.2
<b>Total financing</b>	<b>-15.2</b>

## Bellegrove,

- 6.18 This report recommends approval, in principle as set out in paragraphs 3.27 – 3.29, for proceeding to procurement for multi-disciplinary consultancy services for RIBA Stages 2 to 7 for the Bellegrove Scheme at an estimated whole life value of £1.5m. In order to finance this, this report requests approval for feasibility funding (from the Housing Investment Fund) for sites now added to the capital programme (West Wickham, Bromley North and Beckenham) to be ‘refunded’ from the relevant capital budgets.

## **7. PERSONNEL IMPLICATIONS**

- 7.1. Additional staff to support the delivery will be required and will be funded from within the costs of schemes.

## **8. LEGAL IMPLICATIONS**

### **Procurement**

- 8.1 Executive are asked to approve recommendations at 2.1 - 2.14. The Council entered a funding contract with the GLA in March 2022 (following Executive Approval HPR2022/006) to support the delivery of good quality, affordable accommodation within the borough.
- 8.2 The Housing Act 1985 governs the Council’s responsibility to review housing needs, provide housing, develop and appropriate land. In addition, the Council has both an implied and a specific power under section 111 of the Local Government Act 1972 to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.
- 8.3 The Council further has the general power of competence to do anything an individual could do under section 1 of the Localism Act 2011 together with the Council’s local Regeneration and Housing policies. Where commercial activities are proposed in relation to the sale of properties being the predominant motive, the effect of section 4 of the 2011 Act may require this is done through a separate corporate commercial entity. There may be certain advantages and drawbacks for using a separate entity for this purpose and officers should seek full legal advice on this issue.
- 8.4. Any procurement of works and services are likely to be a public contract within the meaning of the Public Contract Regulations 2015 (Regulations) due to the estimated values outlined in this report and will need to comply with the Regulations and principles of equality, transparency and non-discrimination.
- 8.5 The Council’s Contract Procedure Rules (CPR) set out the requirements for the use of frameworks at CPR 3.5 and the award procedure at CPR 8.2 and must be complied with.
- 8.6 The Council will also need to adhere to and comply with all GLA and BLRF requirements.

### **Housing Revenue Account (“HRA”)**

- 8.7 The Local Government and Housing Act 1989-part VI deals with the operation of the HRA as a separate ringfenced account.
- 8.8 There is no power to provide subsidy from the General Fund to the HRA to make a scheme financially viable to the HRA. However, under section 78 and item 9, part 1 of schedule 4 of the Local Government and Housing Act 1989 the Secretary of State has authority to issue specific Directions with regards to HRA accounting which allows for the flexibility to transfer resources between accounts. On initial discussions with DLUCh this is likely to be available only as a short term measure.

### **Appropriation**

- 8.9 In relation to recommendation 2.12 dealing with a delegated authority to appropriate land for planning purposes the following provisions should be considered

- 8.10. The purpose of an appropriation for planning purposes is to ensure that any redevelopment may benefit from the power in section 203 of the Housing and Planning Act 2016 to override all third-party rights including covenants and easements. The Act enables public bodies to implement this power where the demonstration of the use is in the public interest and proportionate to the end being pursued.
- 8.11. The Council in developing its proposals will need to give due consideration to the third-party rights that are likely to be affected or injured as a result of any proposed redevelopment. The Council's legal advisers and consultants will need to review the rights of adjoining property owners to identify if there are any potential rights including but without limitation to rights of light and injuries caused because of the redevelopment. A right to light survey may need to be completed to identify whether any rights may have been infringed and the potential costs for injuries identified.
- 8.12. In order to use this power, the Act requires the Council to demonstrate a public interest and benefit.
- 8.13. The Council will need to demonstrate that the appropriation of the site(s) for planning purposes will generate substantial public benefits which will far outweigh any injuries to the private rights of third parties.
- 8.14. Appropriation of land for planning purposes will prevent any injunctions being sought by a party whose right may be interfered with and thereby preventing and delaying the proposed development. It will also ensure that the commercial and market attractiveness of the scheme is not diminished by the existence of injunctive rights which can frustrate the development.
- 8.15. The redevelopment proposals will need to be rigorously tested for its impact on the sunlight and daylight levels in the surrounding properties as is required by planning policies.
- 8.16. The proposed redevelopment will need to pay due regard to privacy, overlooking and impact on live - ability and quality of life of the surrounding residents as is required by planning policies.
- 8.17. Overall, the redevelopment will need to satisfy that there is no detrimental impact to the surrounding residents and that the re-development will regenerate the site with a significant need for investment and that the upgrade will start to address some of the long-standing socio-economic problems faced by the surrounding local area and will significantly enhance the quality of the build environment of the surrounding area and will provide much needed housing both affordable and private and as a result improve the life chances of the area's current and future residents.
- 8.18. Accordingly, the test to be met is that it is in the public interest and benefits will be generated by the redevelopment and regeneration far outweighs the potential infringement the scheme will cause to the private rights of third parties.

### **Human Rights Act 1998**

- 8.19. The Human Rights Act 1998 in Article 1 of Part II- The First Protocol states:
  - 8.2 "The Council must believe that there is a compelling case in the public interest for the land to be appropriated".
- 8.21. The Act places an obligation on public bodies such as the Council to demonstrate that the use of powers such as appropriation is in the public interest and is proportionate to the end being pursued.
- 8.22. It is accepted that appropriating the land for planning purposes will infringe private rights, however the Council must make a case that it considers this wholly justified on grounds of public interest and promotion of economic, social and environmental well-being. In any event any injured party will have the right to claim appropriate compensation for their injuries.

- 8.23. A case will have to be made that promoting the redevelopment has the highest levels of need for physical regeneration which delivers high quality affordable housing and environmental design and is considered to be consistent with the principles of good public administration.

### **Notice of Appropriation Section 122 Local Government Act 1972 (“the Act”)**

- 8.24. The Act requires that the Council give notice of its intention to appropriate of land for two consecutive weeks in a newspaper circulating in the area in which the land is situated, and the Council must consider any objections to the proposed appropriation which may be made to it.
- 8.25. Appropriation to the HRA is specifically dealt with in section 19(1) of the Housing Act 1985 (the 1985 Act):

## **9. PROCUREMENT IMPLICATIONS**

- 9.1. This report sets out and seeks approval for several specific procurement decisions relating to the progression of the various schemes covered by this report. The various decisions being sought are, in the main, subject to other considerations such as planning, financial viability assessments some of which will require further decisions as appropriate before full implementation of the various proposals.

### **Bromley North Scheme**

- 9.2. The first decision sought for Bromley North is to award a contract to provider named in the Part 2 Report for multi-disciplinary consultancy services for RIBA Stages 3b to 7 at an estimated whole life value detailed in the Part 2 Report via a suitable Crown Commercial Services Framework set up for this purpose.
- 9.3. In accordance with Clause 3.5 of the Contract Procedure Rules, the Head of Procurement has been consulted regarding the use of the Framework. The Council is able to make use of the Framework and has been properly included on the Contract Notice. This award process has been carried out within the guidelines of the framework.
- 9.4. As the contract value is over £30k including VAT, an award notice will need to be published on Contracts Finder. As the contract value is over the thresholds set out in the PCR 2015, a Find A Tender award notice must be published. A voluntary standstill period will need to be observed.
- 9.5. The Council’s specific requirements for authorising an award of contract of this value are covered in CPR 16 with the need to obtain the Approval of Executive in Agreement with the Chief Officer, the Assistant Director Governance & Contracts, the Director of Finance and the relevant Portfolio Holder. In accordance with CPR 2.1.2, Officers must take all necessary professional advice.
- 9.6. The report also sets out an intent to procure additional services for Cost and Project Management, the estimated value being £390k in total. Separately, a Gateway Officer report should be completed in consultation with the Corporate Procurement Team, Finance & Legal to set out the detail and proposed route for those procurements with the relevant Officer approvals before commencement.
- 9.7. The second decision sought for Bromley North is approval to proceed to procure for enabling works at an estimated value of £720k. In addition, a waiver is sought to allow a closed tender process (if a framework is not used) rather than an open or restricted tender process as is normally required under the CPR for contracts with a value of £100k or higher.
- 9.8. This is a works contract, and the value of this procurement falls below the thresholds set out in Part 2 of the Public Contracts Regulations 2015, so is only subject to Part 4 of the Regulations. A closed tender process is in compliance with the Regulations.

- 9.9. As per 8.2.1 of the Council's Contract Procedure Rules, this procurement must make use of public advertisement, and therefore must also be advertised on Contracts Finder.
- 9.10. The procurement must comply with PCR 2015 principles of transparency and equal treatment. Any time limits imposed, such as for responding to adverts and tenders, must be reasonable and proportionate.
- 9.11. The Council's specific requirements for authorising proceeding to procurement are covered in 1.3 of the Contract Procedure Rules with the need to obtain Approval from the Portfolio Holder with the formal Agreement of the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance for a procurement of this value. In accordance with CPR 2.1.2, Officers must take all necessary professional advice.
- 9.12. In compliance with the Council's Contract Procedure Rules (Rule 3.6.1), this procurement must be carried out using the Council's e-procurement system.
- 9.13. This report only sets out a high level overview of the planned procurement of this requirement. Separately, a Gateway Officer report should be completed in consultation with the Corporate Procurement Team, Finance & Legal to set out the detail and proposed route for this procurement once it is known.
- 9.14. The third decision sought for Bromley North is approval in principle to proceed to procure for a Design & Build works contract at an estimated value of £21m. Delegated authority is sought to the relevant Chief Officer to approve the detail of the procurement strategy, subject to agreement from the relevant Officers and Portfolio Holder.
- 9.15. Due to the estimated contract value and the classification of the contract as a works contract, the procurement process shall comply with the Public Contracts Regulations 2015 for an above threshold procurement process.
- 9.16. The Council's specific requirements for authorising proceeding to procurement are covered in 1.3 of the Contract Procedure Rules with the need to obtain Approval from Executive with the formal Agreement of the Chief Officer, Assistant Director Governance & Contracts, the Director of Corporate Services, the Director of Finance and the Portfolio Holder for a procurement of this value. In accordance with CPR 2.1.2, Officers must take all necessary professional advice.
- 9.17. In compliance with the Council's Contract Procedure Rules (Rule 3.6.1), this procurement must be carried out using the Council's e-procurement system.
- 9.18. Under the delegated authority sought, a Gateway Officer report should be completed in consultation with the Corporate Procurement Team, Finance & Legal to set out the detail and proposed route for this procurement once it is known with the relevant Officer and Portfolio Holder approval and agreement before commencement.

### **Beckenham Scheme**

- 9.19. The decision sought for Beckenham is approval in principle to proceed to procure multi-disciplinary consultancy services for RIBA Stages 3b to 7 at an estimated whole life value of £669k via a compliant framework or tender route. Delegated authority is sought to the relevant Chief Officer to approve the detail of the procurement strategy, subject to agreement from the relevant Officers and Portfolio Holder.
- 9.20. Due to the estimated contract value and the classification of the contract as a services contract, the procurement process shall comply with the Public Contracts Regulations 2015 for an above threshold procurement process.
- 9.21. The Council's specific requirements for authorising proceeding to procurement are covered in 1.3 of the Contract Procedure Rules with the need to obtain Approval from the Portfolio Holder with the formal Agreement of the Chief Officer, Assistant Director Governance & Contracts, the Director

of Corporate Services and the Director of Finance for a procurement of this value. In accordance with CPR 2.1.2, Officers must take all necessary professional advice.

- 9.22. In compliance with the Council's Contract Procedure Rules (Rule 3.6.1), this procurement must be carried out using the Council's e-procurement system.
- 9.23. Under the delegated authority sought, a Gateway Officer report should be completed in consultation with the Corporate Procurement Team, Finance & Legal to set out the detail and proposed route for this procurement once it is known with the relevant Officer and Portfolio Holder approval and agreement before commencement.
- 9.24. The report also sets out an intent to procure additional services for Cost and Project Management, the estimated value being £167k in total. Separately, a Gateway Officer report should be completed in consultation with the Corporate Procurement Team, Finance & Legal to set out the detail and proposed route for those procurements with the relevant Officer approvals before commencement.

### **Bellegrove Scheme**

- 9.25. The decision sought for Bellegrove is approval in principle to proceed to procure multi-disciplinary consultancy services for RIBA Stages 2 to 7 at an estimated whole life value of £1.5m via a compliant framework or tender route. Delegated authority is sought to the relevant Chief Officer to approve the detail of the procurement strategy, subject to agreement from the relevant Officers and Portfolio Holder.
- 9.26. Due to the estimated contract value and the classification of the contract as a services contract, the procurement process shall comply with the Public Contracts Regulations 2015 for an above threshold procurement process.
- 9.27. The Council's specific requirements for authorising proceeding to procurement are covered in 1.3 of the Contract Procedure Rules with the need to obtain Approval from the Executive with the formal Agreement of the Chief Officer, Assistant Director Governance & Contracts, the Director of Corporate Services, the Director of Finance and the Portfolio Holder for a procurement of this value. In accordance with CPR 2.1.2, Officers must take all necessary professional advice.
- 9.28. In compliance with the Council's Contract Procedure Rules (Rule 3.6.1), this procurement must be carried out using the Council's e-procurement system.
- 9.29. Under the delegated authority sought, a Gateway Officer report should be completed in consultation with the Corporate Procurement Team, Finance & Legal to set out the detail and proposed route for this procurement once it is known with the relevant Officer and Portfolio Holder approval and agreement before commencement.
- 9.30. The report also sets out an intent to procure additional services for Cost and Project Management, the estimated value being £383k in total. Separately, a Gateway Officer report should be completed in consultation with the Corporate Procurement Team, Finance & Legal to set out the detail and proposed route for those procurements with the relevant Officer approvals before commencement.
- 9.31. 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.

## **10. PROPERTY IMPLICATIONS**

- 10.1 Bromley North – this is currently an operational asset for the Council maintained as a public car park, with commercial lettings also producing an investment income. If planning consent is granted in October 2023, then instructions will need to be forthcoming to the Property Team to enable vacant possession to be secured to enable the development. The timescales for doing this will need to be factored into the



development programme and the loss of income reflected in the relevant budget areas from the date of vacant possession.

- 10.2. Beckenham Triangle – this is currently an operational asset for the Council maintained as a public car park. If planning consent is obtained, then instructions will need to be forthcoming to the Property Team to enable vacant possession to be secured to enable the development. The timescales for doing this will need to be factored into the development programme and the loss of income reflected in the relevant budget areas from the date of vacant possession.
- 10.3. Other sites – the three other sites that this report relates to include Bellegrove, Manorfields and Poverest. All three of these sites are operational assets owned by the Council and until such time that they are vacated and deemed surplus to requirements the Council has an ongoing legal obligation to keep these assets operational and fit for purpose. Therefore, budget may be required to clear elements of required repairs and/or maintenance during the period whilst these sites go through the feasibility process to determine whether they should be bought forward for the delivery of affordable housing, and therefore it is not possible to avoid ongoing expenditure at these sites in the interim. It is therefore important that the Property Team is briefed on a regular basis as feasibility studies progress so that decisions can be made on the appropriate repairs and maintenance works undertaken that reflect best value to the Council in the knowledge of the likely direction of travel as the feasibility studies advance.
- 10.4 The Council has an agreed methodology for ascertaining whether a Council owned site should be recommended for the self-delivery of affordable housing after its initial identification as site for consideration. For the three sites noted in 10.3 above, this process will now need to be followed before a further report comes forward to the Executive Committee to provide the outcome of that feasibility work and the cost/benefit analysis of the self-delivery of affordable housing vs. the other options considered which include maintaining the sites as operational, disposing of them in part or whole, and/or other options as appropriate. The Property Team will need to be involved in these discussions throughout to feed into that methodology and support papers going through the relevant Programme Boards (Housing Planning Property & Regeneration Board and Corporate Landlord Board) which take place prior to further Executive Committee reports being bought forward.

## 11. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

- 11.1. Consideration to Carbon Reduction and Social Value will be considered throughout the duration of the projects, including the tender of the main works construction contract via the inclusion of necessary quality criteria to ensure that Carbon Reduction and Social Value has been considered.

## 12. IMPACT ON HEALTH AND WELLBEING

- 12.1. The delivery of affordable homes for Bromley residents will have a positive impact on health and wellbeing.

Background Documents: (Access via Contact Officer)	N/A
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## Appendix A – Bromley North

Bromley North, Station Road Car Park is approximately 0.283 hectares and is currently used as a public car park, providing 83 parking spaces. The site has a PTAL rating of 6a which indicates that it has very good public transport connectivity. The site also includes an MOT garage and storage unit at the south end, both of which are on short leases. An existing UKPN sub station is also situated on site, adjacent to the MOT garage. At the edges of the site, there are some self-seeded trees and shrubs, however, the majority of the site is hard standing which is in poor condition. Please see site and ownership plan below for more detail.

### Key

- Local Plan Development Site
- LBB Site Boundary
- LBB Ownership
- Willmott Dixon (Be Living) Ownership
- Network Rail Developable Land
- Existing Buildings
- Communal Green Space
- Private Amenity/Garden
- Existing Trees



Map of Site Ownership

The scheme consists of two villa-style blocks comprising a total of 75 units. The buildings are arranged as two separate blocks of similar scale and massing. Both blocks establish a four-storey datum along Station Road, rising up to six storeys in total with setbacks on the fourth and fifth levels. The design is sympathetic to the locality, as well as maximising the density of the site. Block one comprises 38 affordable units, whilst block two comprises 37 units for market sale. This design was based on discussions with colleagues in Housing to include additional larger units, to help meet current housing need. The proposed tenure mix is as follows:

	<b>Block 1 Affordable</b>	<b>Block 2 Private</b>
1-bed, two-person	17	18
2-bed, four-person	11	17
3-bed, five-person	10	2
<b>Total</b>	<b>38</b>	<b>37</b>
<b>Commercial Units</b>	<b>1</b>	<b>2</b>

The site was submitted for Planning in April 2023, planning reference number: 23/01547/FULL1.



*Indicative View from Station Road, North*



*Indicative view – North Side Road, North*



## Appendix B - Beckenham Car Park Site

The site is a back-land plot located between commercial and community buildings in a town centre setting in Beckenham. It is kite-shaped in plan and measures some 0.11 hectares in area. Surrounding uses are non-residential. The site is flanked by a 7-storey office building, leisure centre and small office premises. The site is bounded on one edge by at-grade railway lines, across which it enjoys good aspect to the north and west and a visual link to suburban housing beyond. Access from the adjacent high street is across private/ council owned land and lacks segregated footways.



*Demise for development*



The site has been developed up to RIBA Stage 3a and is ready to be submitted to planning, subject to undertaking sufficient public consultation. The scheme comprises 40 affordable units across seven storeys, which step down to six at the southern end of the development. The building includes a community facility located at the southern end of the plan, designed to provide maximum prominence from Beckenham Road and on approach to the building.

The proposal includes a shared garden with children's play, which is accessed directly from the residential core. The upper floors have been configured into a T-plan form to enable the buildings frontage to be pulled back from the southern boundary, where the railway line is located. Careful consideration has been given to the external aesthetic of the design to ensure it is sensitive to the site's heritage context and is reflective of the character of its location.

## Appendix C - Bellegrove

The site is rectangular in plan and located between healthcare, and community buildings in a suburban setting. There is an expansive recreation ground to the South. The site measures some 0.69 hectares in area and slopes up along the southern and eastern edges, with level ground at the corner of Mickleham Road and Goose Green Close. Surrounding uses are non-residential to the north and east and is flanked by a cul-de-sac of two storey houses to the west. The site benefits from expansive views due to the low density of the surrounding area, as well as street frontage on three sides.

Illustration shows site demise for potential development



Image below, shows current site



Initial feasibility has demonstrated opportunity to develop site into 56 dwellings comprising of one bed garden flats (20), two bedroom mews houses (26), and 3 bedroom terraces (10), all massed in terraces of four separate buildings with pitched roofs.

A central shared amenity space, providing refuse and cycle parking for 102 spaces, and a children's play area would also be provided in the centre of the site.

Off street parking (49 spaces) would be provided, and arranged along the edge of the existing access roads,



## Appendix D- Manorfields

The site is located in a residential part of Orpington. It is broadly square in form, and bounded on two sides by roadways. Avalon Road on its southern edge is the main frontage. The cul-de-sac of Leeds Close bounds its western edge and provides access to Manor Fields behind, eight bungalows providing homes for older people set in shared landscaping. The site is occupied by the vacant, former Manorfields Care Home, a collection of mostly single-storey blocks arranged in a loose quadrangle form. Surrounding development is low-density suburban, comprised predominantly of semidetached houses and bungalows on wide plots, dating from mid to late 20th Century. To the west of the site are school playing fields with the Beacon Academy beyond. The site benefits from good aspect and access



Illustration shows demise of current site.

Photographs below of current site



Initial feasibility has demonstrated the site could be redeveloped to provide 37 dwellings, comprising of 13x1 beds, 12x 2 beds and 11x3 beds.

The dwellings would be houses and mews apartments, with the main terraces arranged the along the primary Avalon Road frontage, which would be sympathetic to the residential area around.

A central shared landscape area would provide a children's play area and amenity space. Larger, three bed family homes would be arranged to the rear of the plot, providing an option for second entrance via Manor Fields if needed.

## Appendix E- Poverest Adult Education

The site is approximately 1.176 hectares and consists of an adult education centre with a car park that is surrounded by green space. The Council also owns a small adjacent site which will be included within the red boundary. The site is accessed through Church Hill Wood and Tillingbourne Green with minimal pedestrian access. The site is actively used by residents in the community. There are no Tree Preservation Orders and the site is not within a Conservation Area. The site is enclosed by industrial fencing. The green space is underutilised and unwelcoming—partly due to the fencing. be in a landscaped setting. The current educational facility is in one tired building. The smaller building on the site is no longer usable due to its poor condition. The buildings are set back and lack visibility in the community. The vehicle access to the site is narrow, difficult to manoeuvre and lacks visibility. There are limited pedestrian routes on to the south of site.



Illustration shows potential demise of development.

Photographs below shows existing entrance to Adult Education site.



Initial feasibility has demonstrated the ability to reprove the Adult Education Facility in a purpose built development as well as develop 45 dwellings on the site, comprised of 11x 1 beds, 19x 2 beds, and 15x 3 beds. The entrance to the homes would be provided from Tillingbourne Green, making a safe entrance, as well as school time entrance onto Poverest Road, reducing the need for traffic on Tillingbourne Green during school operating hours.

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Report No.  
HPR2023/049

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**Date:** For Pre-Decision Scrutiny by Renewal, Recreation and Housing PDS Committee on 6 September 2023

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

**Title:** HOUSING ALLOCATION SCHEME AND CHOICE BASED LETTINGS (APPROVAL TO PROCEED TO STATUTORY CONSULTATION)

**Contact Officer:** Michelle Bowler, Head of Housing Schemes  
Tel: 0208 464 3333 E-mail: [michelle.bowler@bromley.gov.uk](mailto:michelle.bowler@bromley.gov.uk)

**Chief Officer:** Sara Bowrey, Director of Housing, Planning and Regeneration  
Tel: 0208 313 4013 Email: [sara.bowrey@bromley.gov.uk](mailto:sara.bowrey@bromley.gov.uk)

**Ward:** All Wards

---

1. Reason for decision/report and options

- 1.1 The current Allocation Scheme was first published in 2012, amended in 2015 and the last formal update made in 2017 following the introduction of the Homelessness Reduction Act (2017). In order to ensure that the Scheme is contemporary and meets all current legislative requirements a review of the Council's Allocations Scheme was approved in November 2022.
- 1.3 This report accompanies the Draft Allocations Policy (Appendix 1) and identifies key changes alongside the indicative project delivery timescales.
- 

2. **RECOMMENDATION(S)**

- 2.1 The Renewal, Recreation and Housing Policy Development and Scrutiny Committee is asked to review the Draft Allocations Policy and make any comments available to the Council's Executive.
- 2.2 The Council's Executive is requested to:
- Approve the Draft Allocations Policy for eight weeks public consultation; and,
  - 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 Allocations Policy.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The Allocation Scheme ensures that the Council is able to meet its statutory responsibilities in respect of housing. That priority for housing is fairly and consistently prioritised in accordance with all legal and statutory responsibilities.
- 

### Transformation Policy

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

### Financial

1. Cost of proposal: nil
  2. Ongoing costs: nil
  3. Budget head/performance centre: Operational Housing
  4. Total current budget for this head: £8.3m
  5. Source of funding: Revenue budget
- 

### Personnel

1. Number of staff (current and additional): None
  2. If from existing staff resources, number of staff hours: N/a
- 

### Legal

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

### Procurement

1. Summary of Procurement Implications: None
- 

### Property

1. Summary of Property Implications: None
- 

### Customer Impact

1. Estimated number of users or customers (current and projected): More than 5,000 households' approach with housing difficulties which could lead to homelessness each year. At present there are just under 3000 households included on the Housing Register. There are currently approximately 1500 households in Temporary Accommodation these are predominantly located outside the borough. This includes c.1,100 households in costly nightly paid Temporary Accommodation. It costs the Council an average of £8,268 per household in Nightly Paid accommodation, this in turn puts a strain on LBB's budgets which impacts on other services. Officers believe the proposed changes will be clearer to those approaching the Council and more reflective of the current landscape, we understand that it is very difficult to navigate a CBL system that doesn't have high levels of property availability, under the proposed changes the Council will be able to better manage customer expectations.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Pending
2. Summary of Ward Councillors comments: All Councillors will be invited to participate in the formal consultation once it goes live.

### 3. COMMENTARY

- 3.1 The Local Authority is required by the Housing Act 1996 (as amended) to have an Allocation scheme for determining priorities and for defining the procedures to be followed in allocating housing accommodation. This scheme enables the Council to consider the individual needs of those applying for housing while making best use of the very limited housing resources available to it.
- 3.2 The Council assess all applications, if the client/s are eligible and qualify for inclusion, they are placed on our housing register. This enables officers to award priority based on housing need. The Allocations policy sets out:
- I. How to apply for housing
  - II. Who is eligible to be accepted onto the housing register
  - III. Who qualifies to be accepted onto the housing register
  - IV. Who does not qualify
  - V. How and at what level priority is awarded
  - VI. The size of property that will be allocated
  - VII. The processing of offering a property
  - VIII. How often an application will be reviewed.
  - IX. How to request a review of a decision.
- 3.3 The Housing Allocation Scheme aims to ensure that, the assessment process for inclusion onto the Housing Register is clear. Our procedures and practices are clear, and customers understand what they can expect of us and what their rights are. This enables the Council to manage expectations regarding the availability of social housing and promote awareness of alternative housing options and solutions, whilst making best use of all available social housing stock.
- 3.4 In June 2023, officers produced a Housing Allocations briefing paper to Members (HPR2023/043) this paper detailed the findings of the Allocations review in partnership with external consultants Campbell Tickell, alongside the proposed delivery model and indicative project delivery timescales. In line with the previous report officers are now able to share with members the 'Draft Allocations Policy' for review, with approval, this policy will be subject to statutory consultation.
- 3.5 The key changes in the scheme are as follows:
- I. Legislative updates – such as the Data Protection Act 2018 and contained within the General Data Protection Regulation 2018 (GDPR) and the Domestic Abuse Act 2021
  - II. Requirements for tenants as the Council now once again has its own housing stock and tenants including matters such decants, successions or under occupation.
  - III. Adjustments to the priority awarded to homeless households in order to support a reduction in the use of temporary accommodation.
  - IV. Revision of the priority bandings
  - V. A hybrid allocation approach and the limiting of choice in some instances.
  - VI. Adjustments to support the armed forces covenant and domestic abuse bill.
- 3.6 Not all properties that become available will be advertised and offered through the choice-based lettings system (CBL). In adopting a 'hybrid allocations policy' the majority of lets to those households with a moderate to high level of housing need, will be made via direct lets. This allows the Council to control the homeless challenge as well as making offers to specific applicants or for particular property types. The remainder of the properties will be advertised on Bromley Housing Portal; our choice-based lettings system.

- 3.7 As part of the Policy implementation process (post member approval and consultation) all applicants would be reassessed against the new Policy. Many applicants often forget to tell the Council of changes to their housing needs, it is envisaged that some applicants will be removed from the Housing Register as they may have sourced their own accommodation or had a change in circumstance since the last re-registration took place.
- 3.8 With just under 3000 applicants on the Housing Register this will be an extremely large task for officers to complete. The current staffing team is incredibly lean, consisting of just two Housing Register Officers, which will need to remain under consideration to proactively manage the function of the Scheme going forward. Greater resourcing within these areas would allow for a robust annual review of all those included on the Register, greater pre-allocation checks to ensure that any changes of circumstances are correctly addressed and enhanced support and assistance to ensure that offers are made and accepted.
- 3.9 As part of the Policy review consideration will also need to be given to the Council's Housing IT systems and their ability to support any proposals. Further details will be made available to Members in due course.
- 3.10 The Council seeks to identify any gaps for inclusion and gather evidence of the potential impact of proposed changes to the Housing Allocations Policy. This includes understanding the strength of feeling on the changes, for existing and potential social housing tenants and local providers of social and affordable housing.
- 3.11 Local Authorities are required to undertake formal consultation when proposing to introduce a new Housing Allocations Policy. The aim is for this to run for 8 weeks from October to November 2023 during which we will consult with a number of key stakeholders:
- I. Applicants on the Housing register some of whom may be impacted by the revisions if approved.
  - II. Residents of the borough.
  - III. Elected members.
  - IV. Registered providers with stock in the borough.
  - V. External agencies who work with the council or on behalf of residents of the borough.
  - VI. Internal stakeholders within the Council.
- 3.12 We are proposing to undertake the consultation with residents of the borough and specifically housing applicants via an online survey hosted by Campbell Tickell Ltd. The document will be sent to other stakeholders for their comments via an email poll.
- 3.13 We will monitor the results during the consultation period and on its conclusion analyse the results. These will be discussed within the Council and will fall into one of the following categories for action:
- I. If there is overall agreement; we will adopt the change.
  - II. If there is disagreement; this may inform a change in the proposed document provided there are no legal or operational barriers to doing so.
  - III. If we cannot adopt something; this will be flagged for council's attention when they consider the document for approval.
  - IV. At a later date the council will need to publish the results of the consultation.
- 3.14 Following the consultation we will finalise the Housing Allocations Policy and it will be presented for approval in January 2024. It will be accompanied by a full stakeholder consultation report and an equalities impact assessment. The Council is aiming to implement the new scheme in April 2024.

3.15 The table below provides an indicative timetable of dates for consultation and subsequent reports will be made available.

Date	Meeting	Action
<b>6th September</b>	RR&H PDS	To seek approval for 8 week consultation.
<b>20th September</b>	Executive	To seek approval for 8 week consultation.
<b>2nd October</b>	N/A	To commence public consultation - close 27th November 23
<b>22nd January 24</b>	N/A	Paper and final documents to be circulated via Democratic Services
<b>31st January 24</b>	RR&H PDS	To seek approval for final allocations policy
<b>7th February 24</b>	Executive	To seek approval for final allocations policy

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

- 4.1 The Allocation Scheme ensures that the Council is able to meet its statutory responsibilities in respect of housing. That priority for housing is fairly and consistently prioritised in accordance with all legal and statutory responsibilities.
- 4.2 Included in the review of the Allocations Policy, officers will complete an exercise to assess the impact of any changes to our live waiting list and undertake an Equality Impact Assessment.

#### **5. TRANSFORMATION/POLICY IMPLICATIONS**

- 5.1 In accordance with the Housing Act 1996 Housing Authorities are required to have an Allocation Scheme for determining priorities and for and for defining the procedures to be followed in allocating housing accommodation; and they must allocate in accordance with that scheme. This is required regardless of whether they own their own housing stock or contract out the delivery of any of their allocation functions.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 There are no direct financial implications arising from this report.

#### **7. LEGAL IMPLICATIONS**

- 7.1 Part 6 of the Housing Act 1996 and other associated legislation and guidance, requires the Council to develop housing allocation schemes which give reasonable preference to certain categories of applicants. Section 166A(13) of the Housing Act requires all stakeholders to be consulted on any changes to a Housing Allocations Policy.
- 7.2 Officers instructed external lawyers to consider the draft Allocations Policy as the Council's in-house legal service do not currently possess the expertise to advise.

## 8 CUSTOMER IMPACT

- 8.1 More than 5,000 households' approach with housing difficulties which could lead to homelessness each year. At present there are just under 3000 households included on the Housing Register. There are currently approximately 1500 households in Temporary Accommodation these are predominantly located outside the borough. This includes c.1,100 households in costly nightly paid Temporary Accommodation. It costs the Council an average of £8,268 per household in Nightly Paid accommodation, this in turn puts a strain on LBB's budgets which impacts on other services. Officers believe the proposed changes will be clearer to those approaching the Council and more reflective of the current landscape, we understand that it is very difficult to navigate a CBL system that doesn't have the availability, under the proposed changes the Council will be able to better manage customer expectations.

<b>Non-Applicable Headings:</b>	Procurement Implications, Property Implications, Personnel Implications, Carbon Reduction/Social Value Implications, Ward Councillor Views
Background Documents: (Access via Contact Officer)	Housing allocations briefing paper HPR2023/043



**London Borough of Bromley  
Housing Allocations Scheme 2023**

## Table of Contents

Section		Page
<b>Part 1</b>	<b>Introduction</b>	<b>5</b>
1.1	The Housing Allocation Scheme	5
1.2	The Legal Framework	5
1.3	Allocation of a Tenancy	6
1.4	Data Protection	7
1.5	Equalities, Diversity and Accessibility	7
1.6	Force Majeure	7
1.7	Changes to the Housing Allocations Scheme	8
1.8	Statement of Choice	8
<b>Part 2</b>	<b>Options for Housing in Bromley</b>	<b>9</b>
2.1	Hybrid Allocations for Social Rented Accommodation	9
2.2	Housing Register	9
2.3	Other Housing Options	9
2.4	Bromley owned stock	10
2.5	Partnership working	10
2.6	Registered Providers of Social Housing	10
2.7	National Witness Mobility Service (NWMS)	10
2.8	Multi-agency Public Protection Arrangements (MAPPA)	11
<b>Part 3</b>	<b>Eligibility and Qualification</b>	<b>12</b>
3.1	Eligibility	12
3.2	Right to Move	12
3.3	Special arrangements for 16-18 year olds	13
3.4	Qualification Rules	13
3.5	Armed Forces Covenant	15
3.6	Non - Qualification Rules	15
3.6.1	Out of borough Applicants	15
3.6.2	People who are guilty of anti-social or unacceptable behaviour	16
3.6.3	Home owners	17
3.6.4	Financial resources	17
3.7	Exceptional or Mitigating Circumstances	17
3.8	Removal or suspension from the Housing Register	17
3.9	Safe Surrender Agreement	18
<b>Part 4</b>	<b>Applications and Assessments</b>	<b>19</b>
4.1	Registering an application for housing	19
4.2	Who can be included on your application	19
4.3	People you <b>cannot</b> include on your application	20
4.3.1	Carers	20
4.3.2	Separated households	21
4.4	False Information	21
4.5	Requesting, sharing or verifying information	21
4.6	How priority is determined	22
4.7	The Bands	23
4.7.1	Emergency Band	23
4.7.2	Band 1	24
4.7.3	Band 2	24
4.7.4	Band 3	25
4.7.5	Band 4	25



4.7.6	Determination of your Effective Band Date	25
4.7.7	Multiple needs	26
4.8	Bedroom Requirements	26
4.9	Category of Need	27
4.9.1	Underoccupation	27
4.9.2	Overcrowding	27
4.9.3	Homelessness	28
4.9.4	Priority on Health Grounds	28
4.9.5	Decants	30
4.9.6	Insanitary housing conditions	30
4.9.7	Welfare and Social Grounds	31
4.9.8	Those owed a duty of care by the local authority	31
4.9.9	Moving to Older Persons Accommodation	32
4.10	Council or Registered Providers Employees, Elected Members or their Relatives	32
4.11	Pitches for Gypsies and Travellers	32
4.12	Notification of your assessment	33
4.13	Change in Circumstances	33
4.14	Cancellation of an application	33
4.15	Deliberately or worsening circumstances	33
<b>Part 5</b>	<b>Allocations and Lettings</b>	<b>35</b>
5.1	Direct lets	35
5.2	Choice based lettings	35
5.3	Advertising a property on Bromley Housing Portal	35
5.3.1	Targeted Adverts	35
5.3.2	Withdrawing a property	35
5.4	Bidding	35
5.4.1	Number of bids	36
5.4.2	Number of bedrooms	36
5.4.3	Bidding position	36
5.4.4	Assisted bidding	36
5.4.5	Grouped bids	36
5.4.6	Withdrawing your bid	36
5.5	Shortlisting	37
5.5.1	Closing date	37
5.5.2	Bypassing a bid	37
5.5.3	Successful bidders	37
5.5.4	Unsuccessful bidders	38
5.5.5	Rejection by a Registered Provider	38
5.6	Sensitive lets	38
5.7	Reciprocal arrangements	38
5.7.1	Reciprocals initiated by Bromley (outgoing)	38
5.7.2	Reciprocals initiated by another council or Registered Provider (incoming)	39
5.8	Offer of accommodation	39
5.9	Limited offers	39
5.10	Refusals	40
5.11	Tenancy determination	40
5.12	Tenancy sustainment	40
5.13	Lettings Plans	41
5.13.1	Annual Letting Plan	41
5.13.2	Local Letting Plan	42
5.13.3	Publicising lettings	42

<b>Part 6</b>	<b>Decisions, Complaints and Reviews</b>	<b>43</b>
6.1	Decisions	43
6.2	Complaints	43
6.3	Reviews	44
6.3.1	Reviews: Refusals or Failure to Bid	44
6.3.2	Band reviews	44
6.3.3	Statutory right of review	45
6.3.4	Judicial review	45
Appendix 1	Lettings outside of the Housing Allocations Scheme	46
Appendix 2	Panel for Households in High Need	47
Appendix 3	Affordability checks when allocating social housing	49

## Part 1: Introduction

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### 1.1 The Housing Allocation Scheme

This document sets out the London Borough of Bromley Housing Allocations Scheme. The local authority is required by the Housing Act 1996 (as amended) to have an allocation scheme for determining priorities and for defining the procedures to be followed in allocating housing accommodation.

This scheme enables the council to consider the individual needs of those applying for housing while making best use of the very limited housing resources available to the council. We assess all applications and if they are eligible and qualify for inclusion, place them on our housing register. This enables us to award priority based on housing need.

It sets out:

- How to apply for housing
- Who is eligible to be accepted onto the housing register
- Who qualifies to be accepted onto the housing register
- Who does not qualify
- The size of property that will be allocated
- The processing of offering a property
- How often an application will be reviewed.
- How to request a review of a decision.

The Housing Allocation Scheme aims to ensure that:

- The assessment process for inclusion onto the Housing Register is clear.
- Our procedures and practices are clear.
- Customers understand what they can expect of us and what their rights are.
- We manage expectations regarding the availability of social housing and promote awareness of alternative housing options and solutions.
- We promote independence and provide fair access to our services regardless of race, gender, disability, age, religion, nationality, social background or sexuality.
- We minimise the use of temporary accommodation, particularly shared or bed and breakfast type dwellings.
- We and partner organisations contribute to the development and maintenance of sustainable communities.
- We encourage long term and consistent partnership working on a local and sub-regional level.
- We make best use of all available social housing stock.

### 1.2 The Legal Framework

In framing the Housing Allocations Scheme, we have complied with and fully considered the following housing legislation, regulations, and statutory guidance:

- The Housing Act 1996, Part 6 as amended by Localism Act 2011 (England)
- The Housing Act 1996, Part 7 as amended by the Homelessness Reduction Act 2017
- Allocation of Accommodation: Guidance for Local housing Authorities in England (2012, DCLG) “the Code”

- Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (DCLG, December 2013) “Supplementary Code”
- Allocation of Housing (Procedure) Regulations 1997, SI 1997/483 Allocation of Housing (England) Regulations 2002, SI 2002/3264
- Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294 and all subsequent amendments
- Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, SI 2012/1869
- Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, SI 2012/2989
- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015
- ‘The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861)’
- Equality Act 2010.
- Data Protection Act 2018 and contained within the UK General Data Protection Regulation 2018 (GDPR).
- Care Act 2014
- Human Rights Act 1998
- Domestic Abuse Act 2021
- Children and Social Work Act 2017
- Anti-Social Behaviour Crime and Policing Act 2014

### 1.3 Allocation of a tenancy

This scheme sets out arrangements for allocating accommodation within the meaning of Part 6 of the Housing Act 1996 (as amended).

The council allocates accommodation when it:

- Selects a person to be a secure or introductory tenant of accommodation (including flexible tenancies) held by the council. As a flexible tenant, you have tenancy for a fixed period. This is usually for at least 5 years, though in some cases it may be between 2 and 5 years.
- Nominates a person to be a secure or introductory tenant of accommodation held by another local authority. ‘Secure tenant’ includes a person with a flexible tenancy granted under s.107A of the Housing Act 1985 (as amended).
- Nominates a person to be an assured tenant of accommodation held by a registered provider. The term ‘assured tenant’ includes a person with a periodic tenancy, or a fixed term tenancy for a period of 5 years, or 2 years in exceptional circumstances.
- For applicants fleeing domestic violence, they will be nominated to a tenancy aligned with the one they had to vacate. If this was a lifetime tenancy, they will be granted a new lifetime tenancy.

Lettings not covered by the housing allocation scheme [are outlined in appendix 1](#).

#### 1.4 Data Protection

We will ensure the personal information of all applicants (new, existing and former) is:

- a) Stored lawfully
- b) Processed in a fair and transparent manner
- c) Collected for a specific, explicit and legitimate purpose
- d) The data will be kept up to date and held until it is no longer required
- e) Shared only with other organisations for legitimate processing, the prevention of fraud or with the person's explicit consent.

Our Privacy Notice can be located online at: [www.bromley.gov.uk](http://www.bromley.gov.uk).

#### 1.5 Equalities, Diversity and Accessibility

We are committed to ensuring this policy is non-discriminatory and that all applicants are able to access the service, especially taking account of any vulnerability or other specific needs, and also the needs of different groups protected by the Equality Act 2010; the Human Rights Act 1998; and for Children, Section 11 of the Children Act 2004. To identify the needs of our applicants the application contains specific questions relating to vulnerability, ethnic origin, sexual orientation, disability and other relevant criteria. The information obtained will be used to monitor the impact of the policy on minority and specific needs groups and to evidence the need for amendments, as may be required.

Under the Equality Act 2010 and in particular section 149 of the Public Sector Equality Duty, we are required to give due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations between those who share a protected characteristic and those who do not, when exercising a public function such as a Housing Allocations Scheme. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. This policy complies with the council's Equality Policy which is located online at:

<https://www.bromley.gov.uk/equality-diversity/equality-policy>

This scheme was subjected to an Equalities Impact Assessment before being adopted. The impact will continue to be monitored throughout the administration of the policy.

#### 1.6 Force Majeure

We will not be liable for any delay in performing our obligations under this policy if the delay is caused by a Force Majeure (chance occurrence or unavoidable accident for example), provided that reasonable action and notification to customers is taken by the council. More fully, this means, circumstances beyond reasonable control of that party, including without limitation, strikes, lock outs, acts of God, cyber-attack, the act or omission of any governmental or other competent authority, war or national emergency.

## **1.7 Changes to the Housing Allocations Scheme**

All major changes to the Housing Allocation Scheme must be approved at a council cabinet meeting. Minor changes may be approved by a nominated council Officer in consultation with the Portfolio Holder for Housing. Where necessary, the Director of Housing is authorised to make changes to the Scheme in the interest of remaining compliant with the statutory and operational obligations. Where we need to make a significant change to the Scheme, we will measure the impact to households already on the housing register and we will undertake formal consultation.

## **1.8 Statement on Choice**

The Council is committed to offering choice in the allocation of social housing. We will consider preference where possible and practical for direct offers. We will also advertise some homes on our choice based lettings system for applicants to place bids.

We reserve the right not to advertise, or withdraw from advertising, a property that is required in order to proceed with a specific allocation. This will include, for example, emergency or public protection allocations.

## Part 2: Options for Housing in Bromley

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### 2.1 Hybrid Allocations to Social Rented Accommodation

Bromley has a hybrid allocations policy which means the majority of lets in band 2 and above are made via direct lets where we identify a property and make the applicant a direct offer. We reserve the right to let properties using this method as it allows us to control the homeless challenge facing the council as well as making offers to specific applicants or for particular property types. The remainder of the properties will be advertised on Bromley Housing Portal; our choice based lettings system.

### 2.2 Housing Register

A Housing Register is a way of recording the details of households who have applied to the council for rehousing. Data from a Housing Register can be used to monitor trends, assess demand and provide grounds for future housing development and the creation of tailored housing advice services. Bromley administers a Housing Register in order to fairly assess and record the needs of those who apply for housing assistance.

Whilst having a Housing Register helps to organise the details of those requiring housing it does not in itself increase the number of properties that become available to be let each year. Unfortunately there is insufficient social housing available to meet the needs of all those that approach us for assistance, we use a priority banded system to assess those most in need. Only a small number will be moved via the Housing Register, the wait may be considerable and many of you will need to explore other options to resolve your housing need.

For those who are ineligible or do not qualify to join the Housing Register, advice and access to alternative housing options will be provided by housing staff and the Bromley Housing Portal website.

### 2.3 Other Housing Options

There is a limited supply of social housing available for letting each year. You are strongly advised to consider all your options for your future housing. The council can help you consider your options by providing information and advice on the range of alternatives available to you.

Some possible alternatives include:

- a. Private rented housing. Around one third of households in Bromley live in private rented housing and you may be able to find good quality accommodation that is available to move into straightaway. You can contact local lettings agencies, respond to adverts in local or London papers and look online to find a home for rent.
- b. Low cost home ownership. There are various types of low cost home ownership including shared ownership which allows you to buy a share in the property and pay rent on the remaining share.
- c. Moving out of the area. There are a range of options available if you would like to move out of the Bromley area and you may be more successful.
  - Housing Moves Scheme; for social tenants wishing to move into another London local authority.

- Seaside and Country Homes Scheme; if you are a social tenant, 55 or over, and interested in moving out of London.
- Home swapper; where one social tenant can swap with another social tenant with both landlords permission. You must be either an assured or secure tenant.

For more information go online at [www.bromley.gov.uk](http://www.bromley.gov.uk).

## **2.4 Bromley owned stock**

Bromley has a small number of properties, which were built in 2022. Over the next few years, we aim to increase the number of properties and have an active development programme to assist us to achieve this aim.

## **2.5 Partnership working**

Bromley transferred the bulk of its housing stock in 1992. We work in partnership with a variety of external and internal partners to ensure the fair and equitable allocation of social housing within our borough, this includes:

- Council Members including the Policy, Development and Scrutiny Committee and the Housing Portfolio Holder
- A cross section of departments within the council including Housing, Children and Young People, Adult Care Commissioning, Extra Care Housing and Libraries
- Registered Providers
- Representatives from the voluntary and advocacy sectors
- National Witness Mobility Service (NWMS)
- Multi-Agency Public Protection Arrangements (MAPPA)
- Pan London working.

## **2.6 Registered Providers of Social Housing**

We work with registered providers within a nomination agreement where we give the council a percentage of their empty homes to allocate to applicants on the Housing Register. Each registered provider will have their own administration arrangements, and you will be notified of these should you be nominated to one of them.

## **2.7 National Witness Mobility Service (NWMS)**

In order to assist the police both nationally and locally to tackle serious crime and to support witnesses in the legal process, Bromley works in partnership with colleagues in the National Witness Mobility Service (NWMS) and will, as required and where able to do so, accept referrals from this source. Such cases will have been assessed and verified by the NWMS and referrals will only be accepted with the agreement of a named officer within the council's Housing Needs Team. There are particular confidentiality considerations for such cases. Any proposed offer will be checked for suitability by the NWMS before the offer is formally made and details of successful lettings may be anonymised or not be made available for public consumption.



## **2.8 Multi-Agency Public Protection Arrangements (MAPPa)**

If an applicant is shown to be a danger or potential danger to themselves or to others, then appropriate safeguards will be put into place. This may include preventing the applicant from bidding for accommodation, making a direct offer and/or identifying the risk factors on the application and sharing this information with relevant named parties or partner services. Applicants within this category may include, amongst others, those who are referred via the Multi-Agency Public Protection Arrangements (MAPPa) service. Under MAPPa the local authority has a duty to co-operate and when such cases are referred to us a judgement will be made to establish if the client meets the eligibility criteria as set out in this Allocation Scheme and whether they are suitable for general needs social housing. Otherwise, such clients may fall within the category of those who are ineligible for housing. Offers made to MAPPa households will be verified as suitable with the appropriate authorities.

## Part 3: Eligibility and Qualification

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### 3.1 Eligibility

Only applicants that are eligible in accordance with S160ZA of the Housing Act 1996 (as amended) and Eligibility Regulations can be included on the register. Eligibility is explained in detail within statutory guidance – “Allocation of Accommodation: guidance for local housing authorities in England”

You will **not** be eligible to join the housing register if you:

- Are subject to immigration control
- Only have a right to reside in the UK because you (or a member of your household) are a jobseeker
- Are not habitually resident in the UK
- Have a right to reside in the UK of less than three months
- Are not allowed to claim housing benefit under s115 of the Asylum and Immigration Act 1999

Applicants should note that their eligibility could change over time, and we reserve the right to verify your immigration status at any point whilst you are on the housing register.

### 3.2 Right to Move

Under the Right to Move, existing social housing tenants that currently live outside of the borough boundaries but who need to move into Bromley to take up employment or an offer of employment are assessed in accordance with the criteria below:

- The distance and/or time taken to travel between work and home: in accordance with the guidance set out by the Job Centre Plus we consider that a commute of 90 minutes or under (no more than 3 hours per day) is reasonable.
- The availability and affordability of transport, taking into account level of earnings: this will be assessed on a case by case basis.
- The nature of the work or work-based apprenticeship and whether similar opportunities are available closer to home: this will be assessed on a case by case basis. Consideration will also be given to those cases where an offer of work has been made and where the applicant can demonstrate, to the local authority’s satisfaction, that there is a genuine intention to take up that offer.
- Other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move this will be assessed and will take into account how child care and medical needs are currently managed.
- The length of the work contract: this must be for a minimum of 12 months and the applicant must work 16 hours or more per week.
- Whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship: this will be assessed on a case by case basis.

We must be satisfied that your circumstances meet the above criteria **and** that it is the case that you not just wish to move but need to move in order to avoid hardship.

The following will be excluded from consideration;

- Volunteering e.g. work that is unpaid.
- Work that the local authority considers marginal in nature by either virtue of the hours worked, or job undertaken.
- Work that the local authority considers to be ancillary in nature for example where the applicant works for a period of time within the borough but where this is not their main place of work such as those who are self-employed or who work from home.

Households where the total income of all adults exceeds £90,000 either through employment or benefits will not be considered. [Further details can be found at: Right to Move and social housing allocations - GOV.UK \(\[www.gov.uk\]\(http://www.gov.uk\)\)](#).

### 3.3 Special Arrangements for 16-18 year olds

- a. Anyone over the age of 16 is eligible to join the Housing Register if their current address is their only home, or sole residence, and they are not already registered through someone else's housing application.
- b. Applicants under 18 cannot legally hold a tenancy. If they are under the jurisdiction of Children Services and owed a duty under the Children Act, Children Services will act as a guarantor for those within 6 months of their 18<sup>th</sup> birthday under an existing protocol. This is subject to their ability to live independently and manage their tenancy. Children Services will need to provide a support package to prevent the risk of losing the tenancy. The tenancy will be held in trust until they reach 18.
- c. Those not owed a duty of care under the Children Act, may still be granted a tenancy provided they can nominate a suitable person to act as a guarantor such as a parent, legal guardian or relative and also show a willingness to engage with the levels of support identified to help them sustain the tenancy. The guarantor will accept responsibility for the tenancy and for the support where necessary, whilst the tenancy is held in trust until the applicant reaches 18.

### 3.4 Qualification Rules

In order to join the housing register, you must be eligible as set out in [section 3.1](#) and have a recognised housing need which means you must meet one or more of the following criteria:

- a. The statutory reasonable preference rules:
  - People who are homeless (within the meaning of Part 7 Housing Act 1996 (as amended)) and owed a homeless duty.
  - People who are owed certain homeless duties by any authority.
  - People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
  - People who need to move on medical or welfare grounds (including any grounds relating to a disability).

- People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others)
  - Those accepted under the Right to Move Scheme.
- b. Local preference rules:
- Tenants of the council or registered providers looking to downsize to smaller accommodation (also known as under-occupiers).
  - Tenants of the council or registered providers looking to free up an adapted property they do not need.
  - Tenants of partner registered provider identified as part of a decant programme.
  - People aged 50 or over who wish to move to older persons' or sheltered housing.

The council reserves the right to review the local preference categories in order to include additional or time limited local preference categories in order to pilot new schemes or to meet the needs of a newly identified priority group. Equally we may remove or suspend preference to any of the local preference groups listed above if there are sufficient grounds to do so.

- c. Additional preference will also be given to serving, or those who have recently served with the armed forces including surviving spouses/civil partners who fall within the reasonable preference categories and are in urgent housing need.
- d. A local connection to Bromley as shown below:
- Have resided in the borough, 5 continuous years at the point of application.
  - A care leaver under 24 years who has been looked after by the council for at least 2 years, including some time before they turned 16, under section 22A of the Children Act 1989.
  - You are a young person looked after by the council and have been placed in care outside the borough
  - You are in receipt of adult social care services provided by the council and have been placed out of the borough in a hospital or residential care or other accommodation under ongoing social care duties with Bromley.
  - Be either giving high levels of support or receiving it from someone living in the borough and it is only possible if they live in Bromley and have evidence to support this.
  - Have resided in the borough for 3 years or more immediately prior to incarceration on conviction or institutionalisation.
- e. Be a gypsy or traveller (as defined in the Caravan Sites Act 1968) who has habitually resided to Bromley.

### 3.5 Armed Forces Covenant



The London Borough of Bromley is a signatory of the Bromley Armed Forces Covenant. It is a voluntary statement of mutual support between the civilian community and the local armed forces community.

The council has created a Covenant Pledge to demonstrate its support, as an employer of choice, to the armed forces community. We believe that those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

In undertaking this covenant, we:

- ❖ Disregard injury and disability payments; whether these are periodic or a lump sum when considering the income of an applicant.
- ❖ Overlook lack of connection to the borough allowing members of the armed forces and their families to qualify.
- ❖ All applications qualify from current or former members (having left service within the preceding 5 years, as defined by s.374 of the Armed Forces Act 2006)
- ❖ If you are divorced, separated or a civil partner of service personnel required and are required to move out of Ministry of Defence accommodation, you will qualify.
- ❖ If you have to move from an unsuitable property as a result of injuries sustained while in the Armed Forces, you will be awarded the highest possible medical priority.
- ❖ If you have a reasonable preference, and you also meet the local connection rules, we will award additional preference and place you in a higher band than you would qualify for.

### 3.6 Non - Qualification Rules

You will not qualify to join the housing register if you fall into one of the following categories set out below.

#### 3.6.1 Out of borough applicants

Anyone currently living outside of the London Borough of Bromley will not normally be included on or placed into a priority band on the Housing Register. Anyone wishing to apply to the London Borough of Bromley who currently resides outside of the borough boundaries should in the first instance seek the support of their own local authority or social housing provider (if applicable) in order to resolve their housing needs.

If your local authority or social housing provider agrees that you have an urgent need to secure accommodation in the London Borough of Bromley, in accordance with their own Allocation Scheme or Transfer Policy, they should submit a request for assistance to the Councils Housing Register team supporting your application. In most instances we will only agree to assist an out of borough applicant where their own borough or landlord is prepared to enter into a reciprocal agreement with us.

This means that, if we are able to assist you to secure accommodation, they will normally offer a property (of the same size and type as you require) for advertisement on Bromley Housing Portal or for use as a direct offer in order to benefit a local resident. Applications will not normally be considered for those not supported by their local authority or social housing provider by way of a reciprocal agreement.

### 3.6.2 People who are guilty of anti-social or unacceptable behaviour

#### Definition of anti-social behaviour

- a) *conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,*
- a) *conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or*
- b) *conduct capable of causing housing-related nuisance or annoyance to any person.*

#### Definition of unacceptable behaviour:

*Those who are guilty of behaviour serious enough to make them unsuitable to be a tenant of a social housing provider at the time of their application.*

The following are examples of what is considered anti-social or unacceptable behaviour:

- Noise nuisance;
- Perpetrating domestic violence;
- Harassment, for example on the grounds of race, religion, disability, gender or sexuality;
- Intimidation;
- Drug dealing;
- Gang related activities;
- Causing damage to property;
- Rent or mortgage arrears where the wilful actions of the occupier have caused the arrears to accumulate.

You will not qualify to join the Housing Register if we are satisfied that you or any member of your household, including children, have a history of or are currently engaging in any of the behaviour outlined above.

In reaching a decision that an applicant does not qualify on the grounds of anti-social or unacceptable behaviour we will take into account:

- a. The circumstances at the time of the application.
- b. The needs of the household including dependents or medical requirements.
- c. Relevant supporting information including police or landlords' records.
- d. Timescales i.e. is the alleged behaviour current or historical.
- e. Likelihood of reoccurrence.
- f. Whether or not the behaviour was such that, had the person in question been a secure local authority tenant, a court would have considered it reasonable to grant an outright possession order (under s84 of the Housing Act 1985, Part 1, Schedule 2 excepting Ground 8)

### 3.6.3 Home owners

A person who owns their own home will not normally be included on the housing register. They will be offered advice and be signposted to suitable agencies in order to resolve their underlying housing difficulties. Only in exceptional circumstances, where a person has a need for rehousing in accordance with the reasonable preference categories and where all other options have been fully explored and ruled out will a person who owns their own home be included onto the housing register. Any outstanding legal interest in their home would normally have to be disposed of prior to them successfully securing alternative accommodation via the housing register.

### 3.6.4 Financial resources

In considering how to address the shortfall between the supply and demand for social housing it is essential that we take into account the financial circumstances of those that approach us for assistance. Whilst we retain the right in exceptional situations to use our discretion regarding income, capital and savings, in the majority of cases, we will only consider social housing those on lower incomes and with less financial resources available to them i.e. those that are likely to be less able to pursue alternative housing options such as shared ownership or a move to the private rented sector.

When considering what housing options are available to you, we will take into account the incomes (including benefits), savings and capital of all members of the household aged 18 and over. We will not normally include on the housing register households with an income of £90,000 or more.

### 3.7 Exceptional or Mitigating Circumstances

Each application will be assessed individually. Exceptional and/or mitigating circumstances will be considered at our discretion. If it can be shown that you now qualify, you will be placed in a suitable band. However, if there is still concern in relation to their behaviour or ability to pay the rent, their application may be suspended or made inactive for bidding until a suitable pattern of behaviour has been demonstrated over a period of 6 months or more.

We will consider some of the following mitigating circumstances:

- If you are experiencing harassment or violence or your home requires essential repairs, and these cannot be carried out whilst you reside in the property.
- If you are vulnerable or have a disability.

### 3.8 Removal or Suspension from the Housing Register

If we decide that an applicant has become ineligible in law or no longer qualifies to remain on the housing register; we may suspend or remove your application. We will confirm our decision in writing, giving clear grounds for taking the action and how to request a review of the decision.

### **3.9 Safe Surrender Agreements**

Possession of a property should be a last resort and every effort should be made to sustain the tenancy where possible. We recognise that may not be possible where the housing needs of the individual may be complex and not suited to the accommodation. We will work with registered landlords and private landlords to find a way to keep tenants in their home and where this is not possible to identify a satisfactory solution which may involve a safe surrender agreement. A surrender is a voluntary agreement between the landlord and tenant that the tenancy has come to an end. It is sometimes known as a mutual surrender. A surrender terminates the tenancy, whether it is fixed term or periodic.



## Part 4: Applications and Assessments

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### 4.1 Registering an application for housing

In order to apply for housing, you must register an application online at:

<https://bromleyhousing.bromley.gov.uk/default/www/dashboard>

There is guidance on how to complete the form and information we will need to assess your application. The system will acknowledge your registration, please keep a note of the reference number. If your household is accepted onto the housing register, you are responsible for keeping your records up to date, failure to do so may result in us being unable to offer you accommodation or removal from Housing Register.

If you find it difficult to submit your application online or after reading the guidance, you still need more information, we will be able to help if email us at:

[Bromleyhomeseekers@bromley.gov.uk](mailto:Bromleyhomeseekers@bromley.gov.uk) or call us on 020 8313 4098 during office hours.

### 4.2 Who can be included on your application

Household members who can be included on your application:

- Your partner, providing they are aged 16 or over. This includes married, unmarried and same sex partners. You will be able to make an application jointly unless we consider that one of you is ineligible or has an interest in another property.
- Close relatives including parents, siblings, adult children and grandparents. In order to be included on your application your relative must normally already be living with you and deemed to be a permanent member of the household.
- Consideration may be given to relatives who are living elsewhere and are no longer able to live independently and require a higher level of care and support such as dependent children under the age of 18.
- It must be evidenced to our satisfaction that any children included on your application will be residing with you on a permanent basis i.e. more than 50% of each 7 day week. When considering the residency of children and in order to determine whether or not they qualify to be included as part of your household we will take into account:
  - a. The benefits and tax credits you receive in respect of your children.
  - b. Confirmation from the Courts regarding residency or parental responsibility.
  - c. Referrals from social services in respect of fostering or adoption placements.
  - d. Where the children currently reside.
  - e. Whether or not the children are already included on any applications for rehousing.

Anyone included on your application must not have a legal interest in any other property. You or any member of your household cannot be included on more than one active Housing Register application at any one time.

### 4.3 People you cannot include on your application

The following are household members who would not normally be included on your application:

- Anyone who does not have recourse to public funds, is an asylum seeker or is not resident in the UK.
- Anyone who does not intend to move into any accommodation offered to you.
- Cousins, aunts, uncles, nieces, nephews, friends, acquaintances, lodgers, sub-tenants. We will give individual consideration where we are satisfied that there are exceptional and reasonable grounds for including one of these on your application.

#### 4.3.1 Carers

A carer is someone who, with or without payment, provides help and support to a partner, relative, friend or neighbour who would not be able to cope independently without their help. This could be due to age, physical or mental health, addiction or disability. In all cases the carer must have been identified by the applicant as the person who is primarily responsible for providing them with care. It must be demonstrated that the carer is able to provide the level of support required and that it is essential for them to live with or close to the person that they are caring for.

Even if a carer is in receipt of a Carer's Allowance it may not be essential for them to reside with the person who is being cared for. A request to include a carer as part of the household will normally only be considered if the carer has been assessed by Social Care as needing to provide overnight support. It is the responsibility of the applicant to provide supporting evidence in order to have any such request considered.

In exceptional circumstances it may be possible to consider cases where the carer is not in receipt of Carer's Allowance. Under these circumstances it will still be necessary for the applicant to demonstrate that the person looked after is in receipt of a recognised disability benefit and it is essential for them to reside with the person.

We will determine whether or not it is essential for a carer to be included as part of your household. As well as taking into account the information listed above consideration will also be given to your current circumstances and that of the person you have listed as your carer.

This may include:

- The level of care that is currently being provided and could reasonably be expected to be provided in the future.
- The ability of your carer to provide the level of stated care required.
- The current residence of you and your carer.

#### **4.3.2 Separated households**

If you have included someone on your application who does not currently live with you, we will consider that you are a separated household. In order to assess your eligibility and priority on the Housing Register we will assume that you are living at the address occupied by one of the applicants and that we consider to be most suited to your households combined needs. Your application will be assessed as if all household members are resident at that one address. When considering which home would be most suitable, we will take into account:

- i. The size of each property
- ii. Any medical needs of the household
- iii. Any proven risk to the household at either location.

#### **4.4 False information**

We will robustly investigate any circumstances that we believe to be fraudulent. It is an offence to obtain, or attempt to obtain, a tenancy by deception. S.171 of the Housing Act 1996 makes it an offence to knowingly or recklessly provide or withhold information when applying for housing and subsequently if your circumstances should change.

If we discover that you or someone acting on your behalf has supplied false information or have failed to provide us with information that is relevant to your application in order to gain a priority or accommodation, we will immediately cancel your application.

If you have obtained accommodation through the Housing Register and it is discovered that you or someone acting on your behalf has supplied false information or failed to provide us with information that would have been relevant to your ability to secure that accommodation, we will work with your landlord to end your tenancy.

Anyone suspected of giving false information or withholding relevant information is also liable to be prosecuted and may be fined.

#### **4.5 Requesting, sharing and verifying information**

We will verify your application and the evidence you provide in support of application, checking that we have what we need to assess your application as well its authenticity. We may conduct arranged and unannounced home visits to confirm that what you have told us about your circumstances is true.

We will do this:

- When you register an application.
- If we review your application.
- If you report a change of circumstances.
- Before we offer you accommodation.

In completing the online application form you, or a person acting on your behalf, gives the council permission to request further information, share information given with appropriate third parties and make further enquiries in order to correctly assess the application or verify the information or the circumstances presented.

In order to offer you appropriate advice and to assess your application, it may also be necessary to contact those people or organisations whose details you have provided in addition to any other relevant parties whose details come to light during our enquiries.

This may include but is not restricted to:

- ✓ Cross checking the information you have given against the Bromley Register of Electors or any other council.
- ✓ Cross checking the information you have given with other departments such as Housing Benefit and Council Tax.
- ✓ Contacting current and previous landlords.
- ✓ Sharing information with registered providers.
- ✓ Sharing information with other local authorities.
- ✓ Cross checking with data matching companies and credit reference agencies. These agencies will record details of any search made whether or not the application proceeds.
- ✓ Other third parties considered relevant to your application.
- ✓ Your employer or prospective employer.

You will be asked for evidence in relation to you application:

- Photographic ID of everyone in your household.
- Proof of benefits and income for all household members over 18.
- Birth certificates for each household member.
- National Insurance numbers for each household member over 18.
- Proof of your current and/or previous addresses.
- Immigration documents where relevant.
- Documents relating to any property ownership.

This list is not exhaustive, full details are provided on our online registration process.

Where appropriate, any information that you provide may be shared with Registered Providers and prospective landlords. Failure to provide information when required to do so or in the event that we are unable to contact the relevant person or organisation or are not satisfied with the information that is provided may mean that;

- i. There is a delay in the assessment of your application
- ii. There is a reduction of any priority awarded to you
- iii. An offer of accommodation is withdrawn
- iv. An offer of accommodation will be treated as a refusal.
- v. Your application is cancelled.

#### **4.6 How priority is determined**

In order to assess your housing needs and priority we will:

- Check your eligibility to join the housing register.
- Confirm you qualify under reasonable, local or additional preferences.
- Place you in an appropriate band with a category of need.
- Assess the size of home you require.

## 4.7 The Bands

Anyone who applies to the Housing Register will be assessed and placed into a band in accordance with their housing priority, where the emergency band is the highest and band 4 is the lowest. In all cases we will only consider those circumstances that are made worse or prevented from improvement by your current housing circumstances.

### 4.7.1 Emergency Band

Very few applicants will qualify for this level of priority. This is an emergency band and represents those with only the most critical and immediate need to move.

Examples include but are not limited to:

- i. Where an applicant is homeless and in temporary accommodation and owed a section 189B (2) Relief duty or 193(2) Main duty under the Housing Act 1996 and the council wishes to make a direct let to move applicants out of temporary accommodation to manage any budgetary or legal impact.
- ii. Situations where urgent rehousing is required due to an applicant's existing property being uninhabitable, or where there are serious health and safety or personal protection issues that need to be addressed, or to discharge a statutory homelessness duty.
- iii. Urgent housing need situations where, given the applicant's circumstances, it would not be reasonable to wait for a successful bid through the CBL system to deliver an offer.
- iv. Direct offers to persons who a partner council has a duty to rehouse under section 39 of the Land Compensation Act 1973.
- v. Where an applicant is not being realistic in the areas they are bidding for, failing to bid, placing limited bids, or refusing suitable offers of accommodation.
- vi. Where a vacant adapted property, or a property designed to disability standards, becomes available and that property could be allocated to an applicant whose disability needs best match that property regardless of the date they were registered.
- vii. Where the decision of the Council is that it is inappropriate for the applicant to participate in CBL. For example, a vulnerable applicant nominated by Adult Social Care or Children Services where the outcome of an assessment is that a direct let is the best letting solution for that applicant.
- viii. Other examples, including individual circumstances of some applicants subject to Multi Agency Public Protection Arrangements (MAPPA), or it is assessed presents a risk to themselves or others.
- ix. Sheltered housing cases where some older applicants are less confident in using the CBL system to increase take up of sheltered schemes.
- x. To facilitate a decant programme.

- xi. A management transfer priority identified for either a council or partner registered provider.

#### 4.7.2 Band 1

This represents those households with a high level of housing need where an urgent move is required to significantly improve their quality of life or to free up accommodation.

Housing Priority	Description
Decants	Council tenants or a partner registered provider tenant subject to decant proceedings within 6 months and where a relevant reciprocal arrangement has been agreed.
Underoccupation	Underoccupiers in council or partner registered provider who are: <ul style="list-style-type: none"> <li>Downsizing within general needs or adapted housing.</li> <li>Moving from general needs into sheltered accommodation.</li> </ul>
Release of an adapted property	Council and partner registered providers tenants who are moving from fully adapted into general needs or sheltered accommodation.
Move on from a supported housing scheme	Where the council wishes to provide move on someone from a supported housing schemes to which the council has nomination rights. These include referrals for the following households: supported housing move on, leaving care and learning disability, who have been assessed as ready for independent living.
Prevention homelessness duty	People who are owed a prevention duty by the local authority under the homeless legislation and we are satisfied that all other reasonable options have been explored and where priority is required in order to prevent homelessness within a specific timescale.
Overcrowding (2 or more bedrooms needed)	Households who are overcrowded by two or more bedrooms.
Severe Medical Need	Households with severe medical needs including those requiring adapted accommodation and whose current homes are not and cannot be suitably adapted to their needs.

#### 4.7.3 Band 2

This represents those households with a moderate level of housing need where a move is necessary but not urgent.

Housing Priority	Description
Relief homelessness duty	People owed a relief duty and placed in temporary accommodation under the homeless legislation.
Main homeless duty	People who are unintentionally homeless and in priority need (within the meaning of Part VII of the 1996 Act).
Decants (longer than 6 months)	Council and partner registered provider tenants subject to decant proceedings with a need to move that is longer than 6 months.
Welfare and Hardship	People who need to move on welfare grounds to a particular locality in the district of the local authority, where failure to meet that need would cause hardship (to themselves or to others).

#### 4.7.4 Band 3

This represents those households with a low level of housing need where a move is desirable but not essential.

Housing Priority	Description
Non priority homeless	People who are homeless but not in priority need (within the meaning of Part VII of the 1996 Act).
Overcrowding (needing 1 bedroom)	Social housing tenants who are lacking one bedroom and whose landlord has entered into a reciprocal agreement with the local authority.
Rehousing guarantee	Council tenants who have relinquished property and where the council has agreed to rehouse. This includes deferred transfers of council tenants who have been convicted and have been incarcerated or tenants who have been institutionalised.
Sheltered or Specialist Accommodation	Older people, including existing social housing tenants, who are not classed as underoccupiers but who wish to move from general needs into sheltered housing.

#### 4.7.5 Band 4

This represents those with a significantly reduced level of housing need.

Housing Priority	Description
Intentionally homeless	People who are intentionally homeless (within the meaning of Part VII of the 1996 Act) .
Not ready to move	Those who are awarded a priority in accordance with a reasonable preference category but are not yet ready for move on or may be in rent arrears.
Right to Move Scheme	Those included under the Right to Move. In most instances, unless otherwise notified, applicants who receive this priority will not be able to bid for accommodation and will instead be made a direct offer of accommodation.

#### 4.7.6 Determination of your Effective Band Date

Waiting time determines your position within a band. It begins from the date that the current banding priority was awarded. We call this your effective band date. In order to determine your effective band date, and provided there is no delay in providing the information required within the time stipulated, we use the following:

- ✓ Your first assessment, we will use the date we verified your application.
- ✓ If you have a change of circumstances and your priority need changes and you go up a band, we will use the date we verify your change.
- ✓ If you have a change of circumstances and your priority need changes and you go down a band, we will use the effective band date you already have, and it will remain unchanged.
- ✓ An assessment and award of priority cannot take place without the supporting evidence. If you fail to provide this at the point of submission or the date you advised us of the change of circumstances, we will use the date we verify your application.
- ✓ If you are statutory homeless, the effective band date will be the date you approached the council.



- ✓ In the unlikely event more than one applicant bids for the same property and they have the same effective band date, we will consider the type of priority awarded and the urgency of the priority to determine who will be allocated the property and the earlier registration date. This is rare because all applications are time stamped.

#### 4.7.7 Multiple needs

Your circumstances may be such that you would qualify for priority under more than one reasonable or local preference category. If this is the case your application will be placed into the highest band, reflective of your need, as assessed in accordance with the Housing Allocation Scheme.

#### 4.8 Bedroom Requirements

Bedroom requirements, overcrowding and under-occupation are assessed in accordance with the following reasonable preference and local preference categories:

- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- Council or registered provider tenant looking to downsize to smaller accommodation (also known as underoccupiers).

This is how we assess how many bedrooms you need:

- i. *Underoccupation*; if you have more rooms available than your household is assessed to need, you are under-occupying the property.
- ii. *Overcrowding*; if you have fewer rooms available than your household is assessed to need, you are overcrowded.

In accordance with the Bedroom Standard assessment regarding the number of bedrooms allocated to a household we allow one bedroom for each of the following; where each person is only counted once and for the purpose of statutory overcrowding, we will count a separate dining room or living room as a bedroom:

- ✓ a person living together with another as husband and wife or partner (whether that other person is of the same or opposite gender)
- ✓ a person aged 21 years or more
- ✓ two persons of the same gender aged 10 years to 20 years
- ✓ two persons (whether of the same gender or not) aged less than 10 years
- ✓ two persons of the same gender, where one person is aged between 10 years and 20 years and the other is aged less than 10 years, except in instances where the relationship is that of parent and child
- ✓ any person aged under 21 years in any case where he or she cannot be paired with another
- ✓ a child who is a main carer and currently sharing with a sibling
- ✓ a bedroom is needed for essential medical equipment.
- ✓ Applicants who approved foster carers will be entitled to one extra bedroom than their household would ordinarily be entitled to as follows:
  - where a child is placed with them
  - in between placements for up to a period of 52 weeks from the date of the last placement



- newly approved foster carers waiting for their first placement, for a period of up to 52 weeks from the date of the approval
- Prospective foster carers will not be entitled to an additional bedroom until they have been approved.
- Proof of approved status will be required before an additional bedroom entitlement will be awarded.
- If the applicant is no longer an approved foster carer, this entitlement will cease.

## **4.9 Category of Need**

### **4.9.1 Underoccupation**

Since the introduction of the Welfare Reform Act in 2012 social housing tenants who are underoccupying their homes have been required to pay an extra room subsidy in their council tax. Many incur financial hardship as a result of the subsidy and wish to move to smaller properties. Some need to give up their general needs home and move into sheltered or specialist accommodation.

There is a shortage of affordable family sized accommodation within the borough, and we are committed to ensuring that the best use is made of the current housing stock. To this end those underoccupying general needs will be given an underoccupation priority which is higher when releasing a larger property and the council is able to enter into a reciprocal arrangement their social landlord. We may also make direct offers where we can facilitate a chain of moves.

### **4.9.2 Overcrowding**

We award a priority for overcrowding based on the severity. Households that are statutorily overcrowded as deemed by the legislation will be placed in band 1. Those overcrowded by 2 or more bedrooms will be placed in band 2, those overcrowded by one bedroom with a reciprocal arrangement in place will be placed in band 3.

We will also explore other options where a household needs a very large family sized property because very few 4 bedroom or larger properties become available for letting. As a result larger families may wait many years before they can secure a move into suitably sized accommodation.

Example of options may be:

- i. We may suggest that an older household member considers sheltered accommodation.
- ii. We may suggest children over the age of 18 consider seeking accommodation in their own right.

In such instances we will seek to house the smallest household first, once they have accepted a new property, we will reduce the priority of the larger household.

### 4.9.3 Homelessness

Applicants presenting as homeless within the meaning of Part 7 of the Housing Act 1996 as amended by the Homelessness Reduction Act will be subject to a homeless assessment. The council must give a reasonable preference to homeless households and award a priority award on the housing register. Bromley has can exercise discretion as to which award, they will give. Bromley awards the following:

- i. Homeless households owed a prevention duty will be placed in band 1.
- ii. Homeless households awarded a main duty and placed in temporary accommodation under s189b relief duty will be placed in band 2 in recognition of the need to move households quickly especially families and the cost of temporary accommodation to the council.
- iii. Homeless households awarded a s193 main duty will be placed in band 2.
- iv. Non-priority homeless households will be placed in band 3.
- v. Intentionally homeless and non-priority homeless will be placed in band 4

In the first instance all those who are homeless, threatened with homelessness, fleeing violence, subject to harassment, leaving institutional care or the armed forces will have their circumstances considered under the homelessness legislation and an investigation will be undertaken.

Not all households who are accepted as being homeless will be housed via the Housing Register. The Localism Act allows local authorities to fully discharge the full housing duty by a 'private rented sector offer' (s193(7AA)-(7AC) Housing Act 1996 as amended by s.148(5)-(7) Localism Act 2011. The offer must be deemed suitable in line with legislation. If the homelessness duty is discharged into the private sector the household will not be given a priority on the housing register.

### 4.9.4 Priority on Health Grounds

Priority on health or disability grounds will only be awarded after an assessment if someone in the household has a severe long-term limiting illness, or a permanent and substantial disability **and** their health or quality of life is severely affected by the home they live in.

A priority medical award is not given on the basis of the medical condition or disability alone but upon the effect the housing circumstances are having on a long term and serious medical condition or disability. We will also consider if where you live now can be reasonably adapted to meet your needs. It may also be that there are combinations of serious health or disability concerns that mean that the health or quality of life of a household is being severely affected.

The assessment will be made by the Housing Allocations Team in consultation with any medical evidence you provide or reports from health professionals such as Housing Occupational Therapists. Any evidence you supply will be considered fully and further evidence may be requested.

There are two levels of additional priority on medical grounds linked to housing circumstances that can be awarded.

Health Priority	Description
Emergency Medical Award	This is the highest priority award and will normally be considered where the criteria for a priority medical award is met and one or more of the following conditions also applies: <ul style="list-style-type: none"> <li>✓ someone is in hospital/residential care and cannot return home because it is not suitable</li> <li>✓ risk to life</li> <li>✓ extreme exceptional circumstances</li> <li>✓ former members of the armed forces</li> </ul>
Priority Medical Award	This recommendation will normally be considered if you, someone on your application or for whom you provide care, has a severe long-term limiting illness or permanent and substantial disability. Health or quality of life must be severely affected by the place you live in now.

Other recommendations that can be made on health grounds such as:

- a. The type of property that is most suitable and essential on health grounds. This can include access, space, location, or access to a garden.
- b. When a property with one of these features is advertised, preference for it may be given to applicants where a recommendation by health advisors has been accepted.
- c. Use of a garden for safe supervised outdoor play area by a child under 18 in your household with one of the following:
  - a permanent and substantial physical disability
  - severe long-term limiting illness
  - the severest forms of learning disabilities
  - the severest forms of behaviour problems.
- d. Use of a garden for an adult in the following circumstances:
  - if they have a severe cognitive impairment that means they do not sense danger
  - at risk of wandering and so need constant supervision
- e. A garden may be recommended if:
  - if they have a severe, permanent and substantial disability or severe long-term limiting illness
  - limiting illness and caring for children is causing concern such that their continued residence is at risk
  - stress of caring for them is exacerbating the health problems
  - they have a sensory impairment and/or a guide dog and they live alone or only with others with disabilities.
- f. Extra space may be recommended if:
  - you, or someone in your household, has either a permanent and substantial disability, or a severe long term limiting illness, or the severest form of learning disabilities or the severest forms of behaviour problems and it is unreasonable for you to share a bedroom as it would seriously affect the sleep of those you would normally share with, to the severe detriment of their or your health
  - you are having health treatment at home that needs large machinery or a stock of health supplies to be stored e.g. you are having renal dialysis at home

- you need a full-time Carer to provide support night and day
  - you have a permanent and substantial disability or long-term limiting illness or severe learning disability and need additional space for specialist equipment
  - you have a severe long-term limiting illness and sharing a bedroom will exacerbate your health problems e.g. you have an immune deficiency.
- g. An additional recommendation that can be made is that an applicant must have ground floor on health or disability grounds or must have a ground floor property that is wheelchair accessible category A or B. This may be recommended if you have a permanent and substantial disability or severe long-term limiting illness that means that your mobility or exercise tolerance is so severely restricted you cannot safely manage any stairs.

#### **4.9.5 Decants**

If you are a council or partner registered provider tenant, and we are advised that you need to move as part of a decant programme you will be given band 1 if you need to move within 6 months or band 2 if you have longer.

You will normally only be allowed to bid for the size of accommodation that your household is deemed as requiring in accordance with the Allocation Scheme. This may be different from the size of property that you are being decanted from or that you are being offered by your landlord (if also being considered for an internal transfer).

If you fail to move within the proposed timescales your landlord may request that you be made a direct offer of accommodation. If you then fail to accept the direct offer your landlord may seek to terminate your tenancy.

For further information regarding decants please contact your landlord directly.

#### **4.9.6 Insanitary housing conditions**

If your home is in a state of disrepair, you will not normally be awarded a priority on the Housing Register. Irrespective of who your landlord is, in the first instance you will be expected to report the problem to your landlord and work with them in order to resolve it.

If your landlord will not discuss these problems with you or is not carrying out the appropriate repairs to your home, then you can contact the Council's Housing Enforcement Team. They may assess your situation either by speaking to you over the phone or by arranging a home visit. If necessary, they will work with both you and your landlord to resolve any outstanding issues.

When making an application to join the Housing Register, you will need to confirm that you have already been in touch with your landlord, and that they have failed to resolve the works that are outstanding within a reasonable timescale, and that you have contacted the Housing Enforcement Team who have made an assessment and deemed the property unfit for habitation. We will ask to see these reports.

Priority on the Housing Register will only be awarded in exceptional circumstances where your home is assessed as having an irresolvable category 1 hazard and where a Prohibition Notice is required or has been sought on the grounds that the property is deemed prejudicial to health and where continued occupation poses a significant threat to the health and safety of the occupiers.

If you are a homeowner, you are responsible for maintaining it and will not normally be awarded a priority on the Housing Register. The Council's Housing Enforcement Team can offer you advice and assistance as well as details of any current schemes and initiatives to help you maintain and remain in your home.

#### **4.9.7 Welfare and social grounds**

A priority on welfare and social grounds can be considered in two ways:

- If you need to move closer to a specialist support or services such as a school that is named as essential in a statement of special educational needs or to move nearer someone who will care for you enabling, you to live independently.
- If you need to move to closer to Bromley resident who needs support/care.

When considering whether or not to award a priority on welfare and social grounds we will consider the following:

- i. The ease with which you can travel to be supported or provide support.
- ii. The level of support that is currently provided including details of any care packages and carers allowances.
- iii. The capability and time of the person offering the support
- iv. When considering access to a school that is highlighted in a statement of special educational needs, we will look at the age of the child/children and how long they will remain at the school in question.

There must be exceptional reasons why the support needed cannot be met within their current circumstances or why this support cannot be made available through a reliance on public or personal transport. In order to award a priority of the basis of a welfare and social need we must be satisfied that the support provided is so significant that, without it, the person in question would be at risk of significant harm or would no longer be able to live independently.

#### **4.9.8 Those owed a duty of care by the local authority**

People who are owed a duty by any local authority under section 190(2), 193(2) or 195(2) of the Housing Act 1996 (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any local authority under section 192(3) of the 1996 Act will be assessed in accordance with reasonable preference.

The housing team and social care work together for cases where the council owes a duty of care. Consideration will also be given to referrals from other local authorities where evidence is submitted to support a move to our borough. These will include, but are not exhaustive of, the following:

- Care leavers.
- Those with learning disabilities.

- Those approved for fostering or adoption where a home is required to meet the needs of a particular child or children. [See section 4.8 on bedroom requirements in relation to fostering.](#)
- Children in need in accordance with the Children Act 1989

#### 4.9.9 Moving to Older Persons Accommodation

Applicants must be aged 50 or over and not currently occupying sheltered or older persons accommodation. A priority award for sheltered will be awarded to applicants who will require this type of housing on the proviso that they can **only** be considered for this type of accommodation and will not be able to bid on general needs accommodation unless otherwise notified.

#### 4.10 Council or Registered Provider Employees, Elected Members or their Relatives

Council and registered provider employees, elected members and their relatives are allowed to apply to join the housing register and to have their circumstances assessed in accordance with this Housing Allocations Scheme. Their application will be assessed in the same way as all other applicants and they will not gain any advantage, receive any preferential treatment or be disadvantaged in the course of their application.

We will apply the following:

- An employee who applies for housing must have no direct input into the processing of their application. This includes not inputting, amending, prioritising or making decisions.
- Elected members must have no direct input into processing of their application or of their relatives. This includes not inputting, amending, prioritising or making decisions.

The application will be clearly identified as belonging to an employee, elected member or their relative. Offers must be authorised by a senior member of the housing needs team who is not related to the applicant. Offers made by a registered provider must be authorised by a senior member of their staff.

#### 4.11 Pitches for Gypsies and Travellers

The council owns and manages two traveller sites, containing a mixture of single and double pitches, within the borough.

In addition to the eligibility criteria in section 3.1 applicants wishing to be considered for a pitch on one of the sites must be a Gypsy or Traveller, either by ethnic group or under the current legal definition.

The allocation of pitches on a Gypsy and Traveller site is in accordance with the priority given to all applications. However, additional priority for pitches will be given to close family members of existing licensees, who already live on site, to relieve overcrowding and to maintain family connections on the site.

All applications for pitches will be assessed and registered with the appropriate priority. Applicants must then check on the council's website for information about available pitches and place bids for any pitches they would like to be allocated. The pitch will be allocated to the eligible applicant in the highest priority band and with the earliest priority date in that band.

The ongoing sustainability of the site community will be taken into consideration before any formal offer of a pitch is made.

#### **4.12 Notification of your assessment**

We aim to assess your application within 28 days. You will be advised of your band, reasonable preference and effective band date. You will also be advised of the size of property you are entitled to.

#### **4.13 Change in Circumstances**

If your circumstances change, you must inform the council. You can do this on the Bromley Housing Portal website against your application. Examples of change(s) you should tell us about include:

- The birth of a child
- A change of address
- Someone joining or leaving the household
- The purchase or acquisition of an interest in a home
- A change in the health or welfare of the main applicant and/or a member of their household
- Or any circumstances that affect either eligibility or qualification or disqualification to the housing register.

#### **4.14 Cancellation of an Application**

Applications will be cancelled for one or more of the following reasons:

- a. The applicant requests cancellation
- b. The applicant's circumstances change, and they are no longer eligible or no longer qualifies.
- c. The applicant has not responded to a review of their application within the 28 days requested.
- d. The applicant is found to have made a false or deliberately misleading statement, or to have withheld information in connection with their application.
- e. The applicant has not placed a bid for 12 months.
- f. The applicant has not responded to contact from the Council within the 28 days requested.
- g. The applicant has failed to provide the evidence required to assess their application.

#### **4.15 Deliberately or worsening circumstances**

In the event that your actions cause your circumstances to worsen or prevent them from improving we may reduce your priority or cancel your application. In some instances we may choose to disregard any circumstances that you have made worse when assessing your priority.

Some examples are listed below:

- i. Applicants who have allowed family members or others to move into their property, who previously had suitable accommodation or the financial means to secure their own accommodation, and this has resulted in the property being overcrowded.



- ii. Applicants who have moved from previously suitable or more suitable accommodation which it was reasonable for them to continue to occupy, into a less suitable property.
- iii. Homeowners who have intentionally transferred their property to another family member in order to join the housing register.
- iv. Applicants who have given up affordable and suitable private rented accommodation which they are able to maintain, to move in with other relatives or friends, creating a situation of overcrowding and/or sharing of bathroom/kitchen and/or a split household.
- v. Requesting or colluding with a landlord or family member to issue them with a Notice to Quit.
- vi. Homeowners who have transferred the title to their property to a Trust; remain the beneficiaries of that trust.
- vii. Failing to allow repairs to your home to be carried out.
- viii. Unreasonably withholding or failing to make rent or mortgage payments.
- ix. Unreasonably failing to follow advice given by the council in order to prevent homelessness.
- x. Refusing an offer of privately rented accommodation which was made in order to prevent homelessness.
- xi. Refusing an offer of social housing which was made in order to prevent homelessness.



## Part 5: Allocations and Lettings

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### 5.1 Direct lets

Not all properties that become available will be advertised and offered through the choice-based lettings system (CBL). The majority will be direct lets, and, in exceptional circumstances, outside of the band and date order criteria set out in this policy. Specifically, this would be where there are urgent operational or financial reasons to depart from the CBL system of lettings.

### 5.2 Choice based lettings

The remainder of empty properties will be let through choice-based lettings where the property is advertised to allow applicants to bid on them. A shortlist is collated of people that bid in priority order. An offer is made to the most suitable applicant.

### 5.3 Advertising a Property

Bromley works in partnership with registered providers and other local authorities to advertise properties online. All of the information submitted, including details regarding the number of bedrooms, property type, available facilities, timescales and adaptations, is provided by the social landlord. Whilst we will do all that we can to ensure that the information provided is correct Bromley does not accept responsibility for any inaccurate information supplied another landlord.

Properties will be advertised online during the bidding cycle. Details of when the bidding cycle starts and ends can be found on the website. A weekly property advert sheet can also be downloaded from the website, during

#### 5.3.1 Targeted Adverts

In order to meet the annual or a local lettings plan adverts some adverts may be targeted. It may also state that preference will be given to people of a certain age, for example, if the property is categorised as sheltered or that preference will be given to those with a disability, for example, if the property is adapted or suitable for adaptations. This may mean when we shortlist, that someone from a lower band may be selected for an offer because they meet the criteria.

#### 5.3.2 Withdrawing a property

In exceptional circumstances we may have to withdraw a property that has been incorrectly advertised or where an applicant has been nominated to a registered provider. We may also withdraw a property in order to make an urgent direct offer for a priority household at any point provided it has not yet been offered.

### 5.4 Bidding

The sections below only apply where we have advertised a property on our choice based lettings system.

#### 5.4.1 Number of bids

You will be able to place up to **two bids** during each bidding cycle. It is essential that you bid each week in order to increase your chance of moving as quickly as possible. However, even if you bid each week, you may still experience a lengthy wait particularly if you do not place sensible bids. Social housing stock is very limited and, in some areas, very few or no homes become available. If you have very specific preferences regarding the type or location of your home, you may find that it is easier to secure a move via the private rented sector or through another housing option such as shared ownership.

#### 5.4.2 Number of bedrooms

You will normally only be able to bid on the size of property that we have assessed as meeting your requirements under this scheme. Occasionally though there may be some exceptions to this, such as if you require a 4 bedroom home or larger you will normally be able to place a bid on a property that is one bedroom smaller than you are assessed as needing, as long as your household does not exceed the maximum number of persons permitted within the home.

#### 5.4.3 Bidding position

Your position on the bid list may alter as the bidding cycle progresses. Bids are held in band order and within each band, date order. If you place your bid as soon as the bidding cycle opens, you may find that your bid position is different once bidding has closed. Your bid position will drop if someone with a higher band or the same band (who has held that band for a longer period of time) bids on the same property as you.

#### 5.4.4 Assisted bidding

Where someone is vulnerable or needs additional help placing bids to ensure the property is suitable for their needs, you will receive assistance from the Housing Register Team. This is because we recognise that it is important to manage the process to get the best result for you when bidding for a suitable property, especially when assisting homeless households. This is called assisted bidding.

#### 5.4.5 Grouped bids

We will use a single advert for identical properties. Where there are grouped advertisements, applicants who place one bid will be considered for all properties within the group.

#### 5.4.6 Withdrawing your bid

When you have placed a bid, you will be able to withdraw it, whilst the bidding cycle is open. You will not be able to withdraw a bid after the bidding cycle has closed. Any such bid will be treated formally in accordance with the guidance set out within the Housing Allocation Scheme. If we assist you with bidding, you will not be able to withdraw your bid.

## 5.5 Shortlisting

### 5.5.1 Closing date

Each bidding cycle opens at 6pm on a Wednesday and closes the following Monday at 4pm. Between these times you are able to place a maximum of 2 bids on properties in which you meet the advert criteria for. You can withdraw any bids made, provided the withdrawal happens before 4pm on the Monday. Anything after this deadline cannot be removed or amended. When the bidding cycle closes a shortlist of the top bidders is prepared and we will automatically take into consideration any recent changes to your application if these have taken place since the bidding closed.

### 5.5.2 Bypassing a bid

Your bid may be bypassed if:

- Your circumstances do not match the “preference given to” criteria outlined in the property advert.
- You have already been successfully shortlisted for another property.
- There are public protection concerns.
- You, or a member of your household, are involved in anti-social behaviour.
- It is identified that you require an adapted home, and we are notified by the social landlord that the property cannot be sufficiently adapted.
- You have rent arrears and are not keeping to an agreed payment plan.

In the case of rent arrears we will normally allow you to be shortlisted for a property if:

- You have less than 4 weeks rent arrears and with a payment plan which you have adhered to consistently for 3 months.
- You have more than 4 weeks rent arrears with a payment plan which you have adhered to consistently for 6 months.

If there are extenuating circumstances, we may allow not bypass for rent arrears if the move is required urgently. Households with high lent arrears may be suspended so that they cannot bid until we are satisfied that you are adhering to a or payment plan. If you are in a council property or temporary accommodation and move before you are rehoused, we will pursue the debt as a former tenant arrear.

### 5.5.3 Successful bidders

More than one bidder will normally be selected to view the property. You will be told if you have been selected for a multiple viewing and what your listed position is. This will enable you to see how likely you are to secure the property. For example if you are shortlisted as 1<sup>st</sup> out of 6<sup>th</sup> you have the best chance of securing the property. If you are shortlisted as 6<sup>th</sup> out of 6<sup>th</sup> you will be less likely to secure the property.

You can only be shortlisted in first place for one property at a time, all subsequent bids will be bypassed, whilst the first bid is resolved. If we feel there are exceptional reasons, we may allow you to be shortlisted for more than one first bid.

Each registered provider follows their own viewing, offer and sign up process. Some will invite you to view the property first, whilst others may arrange a home visit or request that you attend a meeting at their offices prior to allowing you to view a property. You will be contacted either by phone, email or in writing. You will be advised of what information you will need to take with you to any meetings or viewings.

#### **5.5.4 Unsuccessful bidders**

You will not be contacted if your bid is not shortlisted. You will be able to bid during the next bidding cycle as normal. If your bid is bypassed, you will be able to see the reason your bid was unsuccessful by logging into your Homeseekers Account and reviewing your bids.

#### **5.5.5 Rejection by a Registered Provider**

If your bid is rejected by a registered provider or you were nominated and then rejected, they must notify us of their reasons before offering the property to another bidder. If the council is satisfied that the reasons are acceptable in accordance with the Housing Allocation Scheme and nominations agreement, the decision will stand, and you will be notified of the outcome.

If we believe the registered provider has been unreasonable, we will ask them to review their decision and allow your bid to proceed. We will attempt to resolve all areas of dispute with them and take the relevant steps, where this is not possible.

#### **5.6 Sensitive lets**

Sensitive lets are rare and likely to be due to two main reasons:

- i. Where a household requires careful placement for their safety or the safety of others, we may need to consider where we place in order to minimise any risks.
- ii. Where a property has a management history which requires the careful selection of the next tenant to ensure harmony in the area where it is located. In these cases we may target the advert and select only the most suitable applicants.

#### **5.7 Reciprocal arrangements**

The Allocations Management Team may authorise approaching another authority or registered provider with a view to entering into a reciprocal arrangement where this would assist the council to house someone who needs to move. Reciprocals are a way of obtaining a nomination to another council or registered provider and in turn, Bromley will need to provide a matching property. In either case, the property offered should meet the recipient authority's (or registered providers)) normal rules as to property size, and it should be noted that it is up to the other council/registered provider whether they agree to enter into such an agreement.

##### **5.7.1 Reciprocals initiated by Bromley (i.e. outgoing) - factors to take into account:**

- a. Is the case an emergency case or otherwise particularly urgent?
- b. Have alternative options been exhausted?
- c. Does another authority or registered provider "owe" the council a reciprocal nomination, if so, is this a good opportunity to get them to discharge that reciprocal nomination

5.7.2 Reciprocals initiated by other councils or registered providers (i.e. incoming) - factors to take into account:

- a. Is the case an emergency case, or particularly urgent or important?
- b. Can rehousing be achieved by the other council or registered provider using their own stock?
- c. Does Bromley “owe” the other authority or registered provider a reciprocal nomination, if so, this is an opportunity to discharge the debt to them.
- d. Is the council likely to be in a position to assist within the required timeframe, we will not allow these to take place over a prolonged period of time.

## 5.8 Offer of accommodation

An offer of accommodation must be deemed suitable. This will take into consideration:

- Household type and size
- Rent and service charges
- Property type, size and condition
- Medical need
- Area in relation to employment and education
- Affordability checks [see Appendix 3](#)

An offer is made in writing (often sent by email) containing all the details of the property. If you view before an offer is made an offer letter will be sent after the viewing. It will be subject to a clear rent account or where the applicant is reducing the debt in line with a repayment arrangement.

## 5.9 Limited Offers

We limit the number of offers made to each applicant to one reasonable offer in order to ensure that those on the housing register are able to move within a reasonable period of time. An offer is deemed to be reasonable if it matches area, bedroom allocation, floor level, property type for household, criteria for health priority award, takes into account young children, and is an average standard or repair or more. Where an offer is agreed as not reasonable it will be withdrawn and will not count as one of the limited offers.

If you fail to accept the property offered to you, we will review your application. At that stage we may either:

- Reduce or remove your priority.
- Where there is a legal duty to do so, make you one final offer before discharging duty.
- Cancel your application and remove your details from the Housing Register.

We do not consider the following to be one of your limited offers:

- We bypass your bid.
- The registered provider rejects your bid.
- Someone short listed above you accepts the property.
- The property is withdrawn.

## 5.10 Refusals

The following are considered refusals:

- You fail to attend a viewing.
- You fail to attend an interview with a registered provider
- You fail to provide the information requested by a registered provider.
- You are offered a property and you decline it.

The consequences of refusing an offer of accommodation will depend on the circumstances in which the offer is made. It is important for a homeless household to understand that the refusal of a suitable offer of accommodation is highly likely to result in cessation of the homeless duty, the potential loss of any temporary accommodation, and a change to their entry under this Housing Allocation Scheme.

For all other applicants, a refusal may result in suspension, reduced priority or removal from the Housing Register.

## 5.11 Tenancy determination

A tenancy determination involves identifying what type of tenancy you will be granted. Each landlord will have a tenancy management policy which will outline the tenancies they grant. You will be told in advance of the tenancy type and the conditions attached to the agreement.

The general principles will be:

- i. If you have never held a social tenancy before, or we feel you will benefit from support in the first year of your tenancy, you will be granted an Introductory Tenancy for 12 months; and provided you adhere to the terms of the tenancy agreement; this will convert to a secure tenancy at the end of the period. Introductory tenancies are subject to periodic reviews and if things have not gone well, the landlord may extend this for a further 6 months provided they have given notice.
- ii. If you currently hold a lifetime tenancy, you will be granted another lifetime tenancy. This will be a secure tenancy for council tenants and an assured tenancy for registered providers.
- iii. In some cases a flexible tenancy will be granted, usually if the property is heavily adapted or very large and the landlord wishes to ensure that the tenant continues to need this type of property. These types of tenancies are between 3 and 5 years in length. When they end, they may be renewed, or another type of tenancy may be granted depending on the circumstances. This will be explained when your tenancy commences.

## 5.12 Tenancy sustainment

We want people to be live happily in their homes and recognise that you may need support and assistance to sustain your tenancy. The Housing Allocations Scheme is designed to sort out longer-term solutions for people, and this means making it possible for you to stay in the home of your choice and one that meets your need.

We wish to ensure that landlords do everything practically possible to promote tenancy sustainment by:

- Ensuring a household is correctly routed to the right team when they approach the council for housing
- Considering the support needs, both immediately and longer – term when you have your new home
- Taking the necessary measures to safeguard you and your household
- Signpost you to employment, education and health advice if you need assistance.
- Assessing your housing priority correctly
- Working with you to provide support and skills to address the behaviour that resulted in a suspension of you application.
- Assisting you and your landlord to find solutions If your tenancy is failing
- Granting the right kind of tenancy for your needs
- Ensuring you can afford the rent.
- Ensuring the property suits your need
- Assessing you for specialist housing at the earliest opportunity if you need it
- Safeguarding community balance when allocating properties.

### 5.13 Lettings Plans

Lettings plans are an important tool in meeting allocation targets. They are agreed by the council and partner registered providers.

- i. An Annual Lettings Plan sets out how the Council intends to let the number of properties it predicts will become available within a 12 month period.
- ii. A Local Lettings Plan can be introduced in order to support local priorities and non-statutory responsibilities.

Whilst both plans are reviewed annually it is acceptable for specific local lettings plans to be put in place for a limited time frame.

#### 5.13.1 Annual lettings plan

In agreement with partner agencies an Annual Lettings Plan is produced to ensure that we meet our statutory obligations in accordance with letting accommodation. The figures are set in accordance with the number of vacant properties expected to become available within the following twelve month period and all lettings made via this Scheme are counted for the purposes of the Lettings Plan. The plan is subject to regular monitoring and is reviewed annually. If monitoring shows that lettings outcomes are not in line with the Lettings Plan the Council reserves the right to implement a quota system and/or restrictive labelling on adverts to ensure that our statutory obligations are met.

The target groups where a specific percentage of lettings will be set are:

- Homeless households
- Right to move
- Learning disabilities
- Leaving care
- Move on from supported accommodation.

The current annual lettings plan is held on the Bromley Housing Portal.



### 5.13.2 Local lettings plan

We may implement a local lettings plan in order to meet a local demand or priority. We may also agree a local lettings plan with the Police or individual Registered Providers for specific areas or developments to reflect local circumstances and to facilitate viable and sustainable communities. Any local lettings plan will reflect considerations such as the social mix of residents within a block, estate or area. All local lettings plans may be subject to an equalities impact assessment and may take into account the following factors:

- child density (the number of children in an area)
- age range
- vulnerability of tenants
- access to resources (such as facilities for vulnerable people, schooling or healthcare)
- community stability and cohesion
- areas of low demand

Shortlisting will be undertaken in line with the local lettings plan criteria. In the event of a large scale emergency affecting housing or the need for housing within the borough the council may vary, suspend or review current local lettings plan

### 5.13.3 Publicising results

We will aim to publish the number of lettings and average waiting times each quarter. This information will be published on our Bromley Housing Portal and is often useful for applicants when considering whether to refuse an offer. We have very few lettings each year, the information will give applicants a better understanding of waiting times for certain areas, types and sizes of accommodation.



## Part 6: Decisions, Complaints and Reviews

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### 6.1 Decisions

When we process an application, we will have to make a number of key decisions:

- The decision that confirms or denies your eligibility to join the housing register.
- The decision that confirms or denies whether you qualify.
- The decision that awards your housing need priority.
- The decision to reassess your application as reduced preference or treat it under exceptional or mitigating circumstances.
- The decision to reassess your priority following a change of circumstance.
- The decision to cancel or suspend your application.
- The decision following a submission of a review by you.
- The decision that deems your refusal of a property as unreasonable or that you cannot afford a property.

When contacting you with a decision we will:

- i. We will make decisions with reference to the relevant legislation and our statutory duties.
- ii. We will consider all relevant evidence before making a decision.
- iii. We will not take irrelevant matters into consideration when making a decision.
- iv. We will make every effort to ensure our decisions are not unreasonable, exercising discretion if the situation warrants it.
- v. All decisions will be made with due regard to the Housing Allocation Scheme.
- vi. We will state the reasons for our decision and a full record will be kept. It will be fair and transparent.

It is important to understand the following:

- ✓ If you provide evidence that you did not provide for your original assessment. This is a **change in circumstance**.
- ✓ If you think we failed to deliver the service properly. This is a **complaint**.
- ✓ If you disagree with a homeless decision under Part 7 of the legislation. This is a **s202 statutory right of review**.
- ✓ If you disagree with your priority award under Part 6 of the legislation or the decision to place you in reduced preference. This is a **statutory right of review**.
- ✓ If we ask for information or review your application following a refusal or failure to view. This is a **band review or re-registration**.

### 6.2 Complaints

If you are dissatisfied with a decision, see section 6.1. If you are dissatisfied with the way we have delivered our service, then you may consider making a complaint. You can do this on our website at: [www.bromley.gov.uk](http://www.bromley.gov.uk)

If a complainant is not satisfied with the action the council takes, having followed the complaints procedure in full, they you may send a written complaint to the Local Government Ombudsman.

If an applicant wishes to make a complaint against a registered provider, they should use the registered provider's complaints policy

## 6.3 Reviews

### 6.3.1 Reviews on refusal or failure to bid

We reserve the right to review your application if:

- You fail to bid on suitable properties
- You fail to view a property you have been offered
- You refuse an offer of accommodation we deem suitable.

The action we will take with you may be one or more of the following:

- Extend your bidding time for a further period.
- Discuss your situation with you and look to revise your preferences in order to secure a move.
- Discuss other housing options with you.
- Make a direct offer of accommodation.
- If we think your refusal was unacceptable because the property was suitable, we may also reduce your priority on the housing register or cancel your application.
- If you are homeless and refuse a property, we discharge duty and cancel your homeless application which will also have the effect of cancelling your housing register application.

### 6.3.2 Band Reviews

Applicants in band 1 will be reviewed every 6 months. All other applications will be reviewed (asked to re-register) every 12 months to ensure their circumstances remain the same. You will need to contact the council within 21 days of the review letter, or your application may be cancelled. If your circumstances change, we will reassess your priority.

In order to undertake a band review, we will:

- a. Set the correct review period on your initial assessment and all subsequent reassessments.
- b. Our system will flag the application on its review date.
- c. This will be assigned to an Officer to review.
- d. We will write to the applicant or contact them by their preferred method to confirm if their circumstances remain the same.
- e. You will have 21 days to respond.
- f. If you fail to respond your application will be cancelled.
- g. If you inform us that your circumstances remain the same, we will reset your application for another 12 months.
- h. If you inform us that your circumstances have changed, we will process your application as a change of circumstance.
- i. Suspended applicants will be reviewed once they have reached the end of the period given to you to improve your behaviour. If you have been successful or are showing real progress, we will remove the suspension and your application will be made live. If you have been unsuccessful, we may extend the period to give more time or we may cancel your application.
- j. We reserve the right to review your application at any time, especially where we have received notification of circumstances we must consider.

### 6.3.3 Statutory Right of Review

If you are not satisfied with a decision, you have a statutory right of review. You will need to inform us in writing.

The process for a Statutory Right of Review is:

- a. The applicant or their representative should make the request within 21 days of the decision preferably in writing. The request should state why they disagree with the decision and if necessary, provide the necessary information they felt should have been considered.
- b. The request will be logged and acknowledged. It will state how long the review will take. The reviews will be carried out within 28 days of the request being received. If more time is required, an extension will be requested with the applicant.
- c. The review will be assigned to a senior Officer who did not make the original decision.
- d. If the information was not previously provided for the original decision, the review will be closed, and the applicant will be advised in writing that this now being treated as a change in circumstances.
- e. If the senior Officer feels that the applicant is correct or partially correct the outcome will be to uphold the review and the application will be reassessed.
- f. If the senior Officer feels the original decision is correct, they will deny the review and the original decision stands.
- g. The review outcomes will be recorded.
- h. The applicant will be advised in writing within 14 days of the decision.
- i. If the review needs more time, the applicant will be advised in writing that an extension is required.
- j. Review decisions are final and there is no right of appeal.

### 6.3.4 Judicial Review

Where an individual or organisation feels the Housing Allocations Scheme is unfairly prejudicial or their case has been dealt with a prejudicial manner, they may wish to take legal action. They should seek independent advice before doing so.

The case will be heard in Court before a judge. Both sides will appoint counsel. If the judge decides the case against the council to be partly or fully substantiated, the council will be formally advised of the verdict and will need to respond through their counsel. The result may be an alteration to the Housing Allocation Scheme and/or a reassessment of the applicants case. These are termed judicial reviews.

## Appendix 1: Lettings outside of the Housing Allocations Scheme

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Lettings where a tenancy is created outside of the Allocations Policy include:

- a) **Conversion of an introductory tenancy:** to a secure tenancy under S125 Housing Act 1996).
- b) **Family intervention tenancies:** Introduced by the Housing and Regeneration Act 2008, these are a form of residential tenancy without security of tenure. They may be offered by either a local housing authority or a registered provider to anyone who is a tenant of a lifetime tenancy subject to or could in the future be subject to a possession order on the grounds of anti-social Behaviour or domestic abuse.
- c) **Discretionary succession (tenancies):** Tenants who are awarded a new tenancy under the landlord's discretionary succession provision unless that happens via the Housing Allocation Scheme.
- d) **Non-Secure tenancies or temporary accommodation:** Any accommodation that is provided to meet an interim duty under Part 7 of the Housing Act 1996.
- e) **Temporary decants:** Tenants who need to be moved temporarily whilst major work is carried out on their home will be granted a license to occupy.
- f) **Mutual exchanges:** Between existing tenants under S92 of the Housing Act 1985 or under S158 of the Localism Act 2011.
- g) **Assignment:** To a person who would be qualified to succeed the tenant under S92 of the Housing Act 1985 (secure tenancies) or S134 Housing Act 1996 (introductory tenancies).
- h) **Transfers of tenancies by a court order:** Made under certain provisions contained within matrimonial, family, children, and partnership legislation.
- i) **Land Compensation Act:** Allocation to a person entitled to rehousing under section 39 of the Land Compensation Act 1973.
- j) **Repurchased Homes:** Allocation to a person whose home is repurchased under sections 554 or 555 of the Housing Act 1985 (defective dwellings).
- k) **Management Transfers:** Within a registered provider's stock, where the unit has not been made available to the council.

## Appendix 2: Panel for Households in High Needs

### The Purpose

The purpose of this panel is to identify, discuss, and find solutions for households in high housing need, where they represent the most vulnerable applicants on the Housing Register. This is particularly important where the household requires an adapted property. The panel's primary aim is to identify suitable permanent accommodation whilst making best use of resources, both within the council and within the social housing stock in the borough.

'High Needs' within the context of the panel relates to applicants whose situation is not reasonably concluded through normal procedures and is deemed exceptional, requiring the attention of housing professionals and/or social care.

Where the household requires adaptations, the panel will consider accommodation that is both specialist or general needs with the potential to be adapted. This includes properties which cannot be funded via Disabled Facilities Grant (DFG).

The household may be a homeless applicant, having made an application through the Part 7 homeless legislation, or a Housing Register applicant having made an application through Part 6 of the housing legislation, or both.

### Terms of Reference

1. The panel will meet monthly or more frequently if necessary.
2. Households referred to the panel are captured in a spreadsheet, and this should be updated prior to each meeting by the relevant officer (see roles and responsibilities below).
3. The panel will be chaired and minuted by the Group Manager for Housing Registration and Allocations.

### Roles and Responsibilities

Role Title	Responsibilities
Head of Allocations & Accommodation	<ul style="list-style-type: none"> <li>✓ To have general oversight of the high needs cases being considered for presentation to the panel.</li> <li>✓ To provide support and guidance to panel members.</li> </ul>
Group Manager for Housing, Registration & Allocations	<ul style="list-style-type: none"> <li>✓ To coordinate and chair the panel.</li> <li>✓ To maintain panel records.</li> <li>✓ To facilitate discussion and routes for potential solutions.</li> <li>✓ To approve cases for referral to the panel.</li> </ul>
Housing Allocations Team Manager	<ul style="list-style-type: none"> <li>✓ To proactively review all available settled accommodation options which could meet the needs of those on the list.</li> <li>✓ To ensure the timely allocation of accommodation to applicants.</li> <li>✓ To offer suitability expertise for homelessness offers.</li> <li>✓ To refer cases to the Group Manager for Housing Registration &amp; Allocations.</li> </ul>
Housing Register Team Manager	<ul style="list-style-type: none"> <li>✓ To proactively review Housing Register applications and banding thresholds for those on the list.</li> <li>✓ To offer housing expertise in panel discussions.</li> <li>✓ To refer cases to the Group Manager for Housing Registration &amp; Allocations.</li> </ul>

Role Title	Responsibilities
Senior Occupational Therapist	<ul style="list-style-type: none"> <li>✓ To offer expert advice and guidance relating to the suitability of accommodation and an applicant's needs.</li> <li>✓ To retain accurate information and knowledge in respect of a household, ensuring offers of accommodation meet their need.</li> <li>✓ Undertake home visit for the purpose of making an assessment as required.</li> <li>✓ Undertake a visit to relevant voids as required.</li> <li>✓ To establish clear routes for adaptations via DFG applications and act as intermediary between the applicant and the landlord/agent in terms of adaptations needed.</li> <li>✓ To refer cases for to the Group Manager for Housing Registration &amp; Allocations.</li> <li>✓ In the absence of the Senior Occupational Therapist, an Occupational Therapist will deputise.</li> </ul>

**Relevance of the Panel**

The panel operates for households being considered for placement into temporary accommodation; **Temporary Accommodation Placement Policy** and for households in high need where the most appropriate assessment and/or accommodation is needed for a Part 6 application; **Housing Allocations Scheme**.

## **Appendix 3: Affordability checks when allocating social housing**

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Being able to pay rent and service charges is key to a residents being able to sustain their tenancy. How much a resident can afford to pay for their housing costs will vary depending on the type of accommodation they live in and their financial circumstances. Carrying out affordability checks when allocating a home gives confidence to residents and social landlords that the tenant will be able to afford the home.

### **The law and affordability checks**

The allocation of a social rented home is a matter of public law for the council and other social landlords. This extends to mutual exchanges and management transfers. Therefore any decision about an allocation and whether someone can afford to pay the proposed charges can be challenged in court, if that decision was made irrationally, illegally or failing to follow public law procedural requirements.

Therefore:

- Decisions must be made using accurate evidence and at the point of allocation.
- If an applicant states they can afford it, they must be given the benefit of doubt.
- If the landlord concludes they cannot afford it, the applicant must be given the opportunity to provide additional evidence.
- The applicant has a right of review or to make a complaint to the Ombudsman if the applicant is not offered the property, they must be given this information when the decision is made.

### **Tenants in rent arrears**

The Bromley Housing Allocation Scheme clearly sets out qualification rules where a tenant is in rent arrears. Rent accounts are routinely checked at the point of an offer and this is taken into account when an affordability check is undertaken, along with any other housing related debt. Current and former arrears will be examined, arrears repayments must be in place and adhered to. The tenant must be able to pay the new rent in addition to any repayment instalments.

### **Practicalities of carrying out an affordability check**

In order to carry out the check, the following must be considered:

- i. Income of the household including salaries, benefits and investments.
- ii. Rent and other property charges.
- iii. Reasonable living expenses.
- iv. Priority debts.

They must be able to afford to support any dependent children or adults in the household. If the result of the check is that an applicant cannot afford social housing it is very unlikely that they will be able to afford private rented accommodation. Alternative sources of income to meet housing costs should be looked at including discretionary housing allowance or social care allowance.

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Report No.  
HPR2023/048

## London Borough of Bromley

### PART ONE – PUBLIC

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**Decision Maker:** EXECUTIVE

**Date:** For Pre-Decision Scrutiny by Renewal, Recreation and Housing PDS Committee on 6 September 2023

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

**Title:** HOUSING MANAGEMENT CONTRACT (APPROVAL TO PROCEED TO TENDER)

**Contact Officer:** Michelle Bowler, Head of Housing Schemes  
Tel: 0208 464 3333 E-mail: [michelle.bowler@bromley.gov.uk](mailto:michelle.bowler@bromley.gov.uk)

**Chief Officer:** Sara Bowrey, Director of Housing, Planning, Property and Regeneration  
Tel 0208 313 4013 E-mail: [sara.bowrey@bromley.gov.uk](mailto:sara.bowrey@bromley.gov.uk)

**Ward:** All Wards

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1. Reason for decision/report and options

- 1.1 This report seeks approval to proceed to procurement for the housing management and associated services for the Bromley owned portfolio.
- 1.2 This report details the findings of specialist legal and financial advice in relation to the Beehive portfolio and seeks approval to proceed on the recommendation as set out in paras 3.11 to 3.17.
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2. RECOMMENDATION(S)

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

- 2.1 Note the report and provide their comments for consideration by the Council's Executive.

**The Council's Executive is recommended to:**

- 2.2 For future Housing Management arrangements:
- i) Approve proceeding to procurement for housing management services for Bromley owned housing portfolio via a compliant open tender. The estimated annual value being £2m with the contract to commence from 1 April 2024 for a ten-year term (with the option to extend for a further five years) at an estimated whole life value of £30m.

- ii) To note that, as per the previous report to Executive there are resource requirements that will be built up as part of the 2024/25 budget process in order to meet the Council's statutory obligations in relation to stock ownership and affordable housing management.
- iii) For the Beehive Scheme, following receipt of specialist legal and financial advice approve to proceed on the recommendation detailed for the future management of the portfolio, as set out in paras 3.11 – 3.17.

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## Impact on Vulnerable Adults and Children

1. Summary of Impact: The accommodation provided ensures that the Council is able to meet its statutory responsibilities in respect of housing. 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.

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## Transformation Policy

1. Policy Status: Existing Policy: The Housing Management Contract will support existing priorities set out in the Council's Housing Strategy to support Bromley Residents into settled homes.
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 people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
  - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
  - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

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## Financial

1. Cost of proposal: Estimated £30m whole life contract costs (10+5 years), plus £0.2m p.a. staffing costs
2. Ongoing costs: Estimated £2m p.a. contract costs, plus £0.2m staffing costs
3. Budget head/performance centre: Operational Housing
4. Total current budget for this head: £8.3m
5. Source of funding: LBB General Fund or Housing Revenue Account

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## Personnel

1. Number of staff (current and additional): Three Additional - see section 3.18 to 3.26.
2. If from existing staff resources, number of staff hours:

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## Legal

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

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## Procurement

1. Summary of Procurement Implications: See section 6

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## Property

1. Summary of Property Implications: See Section 7

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## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: See Section 8
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## Customer Impact

1. Estimated number of users or customers (current and projected): More than 5,000 households' approach with housing difficulties which could lead to homelessness each year. At present there are just over 3000 households included on the Housing Register. There are currently approximately 1500 households in Temporary Accommodation these are predominantly located outside the borough. This includes c.1,100 households in costly nightly paid Temporary Accommodation.

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## 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 In September 2022 officers submitted a report to the Executive (HPR 2022/050) which outlined the Council's current Housing Management Contract provided by Orchard & Shipman (now Pinnacle) and set out options for future procurement.
- 3.2 Prior to proceeding to procurement via a compliant open tender, officers confirmed a further scoping exercise would take place in the form of soft market testing, alongside procuring specialist legal and financial advice for the longer-term management of the Beehive portfolio.
- 3.3 In addition to the above, officers detailed that there would be a review of the resources required to oversee the contractual management of all associated Housing Contracts, alongside ongoing development and governance of the Housing Revenue Account. This was anticipated to be a minimum of three positions, a Head of Service post and at least two additional officers.

#### **Soft Market Testing**

- 3.4 In January 2023, officers proceeded with a soft market test exercise seeking to engage with suppliers in an informal discussion to assist the Council in developing appropriate procurement documentation, understand whether the market has experience of delivering similar services and what appetite there is to bid for a contract of this nature and size.
- 3.5 The soft market test questionnaire was published on 6<sup>th</sup> January 2023 however due to a very low response rate this was considered unsuccessful; this exercise was repeated in May 2023. Whilst again limited responses were received, the content of those responses enabled officers to identify key themes e.g., the desired length of contract, the services currently available in the market and elements of the proposed portfolio that may require more specialist management expertise.
- 3.6 On review of the findings of the Soft Market Testing as well as scoping the current services provided within the Council, it is intended that the Council will remain the statutory landlord responsible for the long-term asset management of the HRA portfolio with a Contractor appointed as managing agent to provide and deliver a range of operational housing services. Whilst Beehive will have a different leasing structure, the services required are in keeping with those required for the HRA, these have been broadly listed below for reference:
- i. Lettings
  - ii. Rent, Housing Benefit & Income Management
  - iii. Tenancy Management
  - iv. Voids and Empty Property Management
  - v. Repairs and Maintenance
  - vi. Risk & Compliance
  - vii. Neighbourhood and Estate Management
  - viii. Community Development and Resident Engagement.
  - ix. Floating Support.
  - x. Right to Buy (Oversight of process, where applicable)
  - xi. Performance monitoring
  - xii. Customer Care, Complaints, Member Enquiries, Environmental Information Regulations and Freedom of Information requests.
- 3.7 Officers have collated a full and detailed specification identifying the core services to manage the housing stock as well as providing flexibility to add additional properties or removing sites as they are agreed by the Council for either development or disposal as the Council continues to work through its Transformation Programme.

- 3.8 The initial quantum being 247 properties as identified below, with an assumed future volume bringing the anticipated combined total to approx. 400 units.
- I. Four affordable housing developments, 95 Self-contained properties.
  - II. One multi - unit facility, approx. 62 rooms providing short term accommodation, with shared/communal facilities.
  - III. Ninety self-contained properties in and around the Borough of Bromley.
- 3.9 There is an additional multi-unit facility (54 Units) currently in use which will not be included in the initial quantum of properties pending a review of future use. This property requires substantial refurbishment works and therefore has been identified for potential regeneration. Subject to the required approvals, it is anticipated that this building ,which is currently providing accommodation for homeless households, will be decanted, redeveloped, and added to the assumed future volume of units following completion of works.
- 3.10 As a provider of Social Housing the Council will be looking to award a contract to a Registered Housing Provider who has no enforcement action against them with the Regulators. In addition to these two requirements and given the nature of this contract the Provider will also be required to demonstrate that they have the ability to provide the necessary services within the Borough.

### **Beehive**

- 3.11 As referred to in the report to the Executive in September 2022 (HPR 2022/050), and in preparation for the tender exercise the Council were to seek specialist legal and financial advice to determine the options for the long-term management of the Beehive Properties.
- 3.12 The options considered were transferring the properties into the HRA and/or leasing them to a Wholly Owned Company/Limited Liability Partnership or to a Registered Provider which will be able to grant assured shorthold tenancies.
- 3.13 The following options have been considered at this time:
- 3.14 **Option One** - The Council as the Leaseholder and for units to be transferred into the Housing Revenue Account (HRA). – **Not Recommended**
- I. On initial review this would have been the preferred option as there are no adverse tax implications and would be in line with the remaining portfolio with the Council as the statutory landlord. Unfortunately, this is not a viable option as the Council would be unable to uphold the financial obligations under the lease with Beehive.
- 3.15 **Option Two** - Wholly Owned Company/Limited Liability Partnership – **Not Recommended**
- I. This is an option that remains available to the Council, with the Council owned company being the statutory landlord. However, with no assumed future growth of this portfolio and the additional governance that would be required, further consideration would need to be given and appropriate business plan fully worked through, it has therefore been identified as not suitable at this time.
- 3.16 **Option Three – Lease** Re-procure (Renewal of sub-lease) to a Registered Provider which will be able to grant assured shorthold tenancies. – **Recommended**
- I. This is a continuation of the current leasing structure of the portfolio with the properties being held in the general fund. Whilst ownership and control are relinquished to third party, the Council can exercise that control through lease and housing management arrangements.

3.17 With approval, it is intended that the Beehive portfolio will be included in the formal tender exercise under recommended Option Three. With the Council seeking to appoint a housing provider on a fixed term sublease, to provide housing management and associated services with the council having 100% nomination rights.

### **Resources Proposal**

3.18 The Council transferred its housing stock to Clarion Housing Association (formerly known as Broomleigh) in 1992 and subsequently closed its Housing Revenue Account (“HRA”). In July 2020 the Council approved the re-opening and setting up of the HRA for the provision of affordable housing and has recently been developing housing on Council-owned land.

3.19 At the time of reopening the HRA the Council had no in-house expertise or capacity for the operational running or management of residential housing stock within either Housing or Strategic Property.

3.20 The quantum of properties acquired either through self-delivery or leasing had not been sufficient for the Council to consider a wider resource plan for the HRA and Housing Management. Departmental functions within Housing, Regeneration, Corporate Transformation, Finance and Strategic Property have been supporting the inception of the new housing stock and management of the same however, this has placed increased pressure particularly on front line operational departments.

3.21 In September 2022, Members approved the recruitment of a Head of Housing Schemes for a two-year fixed term. The Head of Housing Schemes together, with cross departmental personnel, has completed a review of the long-term resource requirements needed to manage the Housing Management Contract and meet the statutory HRA obligations. This is being built into the 2024/25 budget process.

3.22 In addition to the Council owned portfolio this review also included wider consideration to the management of all Bromley’s Housing Contracts, these have been listed below for reference:

- I. Mears More Homes – 400 Units
- II. Beehive – 76 Units
- III. Meadowship 1 & 2 – Approx 440 Units

3.23 This review identified that the Operational Housing Management of these contracts had been split across front line officers to assist in managing the workload. Whilst day to day matters were being addressed, officers were often reactive which results in ineffective contract management and increased risk.

3.24 In anticipation of the new Regulatory Consumer Standards and Code of Practice (April 2024) alongside the amendment to the Social Housing (Regulations) Bill which will make professional qualifications mandatory for social housing managers, it is imperative that the Council take steps to recruit required personnel now to enable proactive management required for the Council owned portfolio.

3.25 Given the responsibilities involved in being a Social Landlord Provider referenced above and the complexities of holding our own stock, it is too much of a risk, both financially and reputationally for the Council to not put resources in place to manage the HRA and the various Housing Contracts.

3.26 The staffing resources required to effectively manage this are being built up as part of the 2024/25 budget process and will ensure that the Council is able to manage its statutory obligations in relation to stock ownership and affordable housing management.

## Procurement and project timescales

3.27 The table below provides an indicative procurement timetable:

Procurement Stage	Find a Tender and Contracts Finder Notice Issued	Sep-23
	Issue SQ and ITT with all other Procurement Documents	Sep-23
	Closing date for Clarification questions	Oct-23
	Closing date for return tender Responses	Oct-23
	Evaluation of the Tender Responses	Oct-23
	Potential Clarification Interviews	Oct-23
	Final Evaluation of Tender Responses	Nov-23
Internal Authorisation	RR & H PDS -	Nov-23
	Executive	Nov-23
Mobilisation	Anticipate Telling Tenders	Dec-23
	Contract Mobilisation	Jan- March 24
	Contract Start	1st April 2024

3.28 The proposed tender process will be carried out with support from Corporate Procurement in line with the Council's Contract Procedure Rules and compliance with the Public Contracts Regulations 2015 requirements via a 1-stage open process. Prospective bids will be evaluated on a 60% price and 40% quality split.

3.29 It is intended that following the evaluation period, subsequent papers will be brought back to Members in the November 2023 committee cycle. Subject to the number of bids received this may cause delay to the above timeline, and a Special RR&H PDS meeting may be required, week commencing 20<sup>th</sup> November 2023.

3.30 Estimated Value of Proposed Action - To proceed to procurement for a Housing Management contract for a ten-year contract with the option to extend for a further five years. The contract is intended to commence from 1 April 2024 at an estimated annual value of £2m (whole life value of £30m).

3.31 For the Housing Management contract, the contract length is based on the size and nuances of the stock in addition for the need to make the scheme financially viable in terms of the 8–10-year cyclical maintenance cycle.

## 4. FINANCIAL IMPLICATIONS

4.1 This report recommends that Executive approves proceeding to procurement for housing management services. The estimated annual value being £2m with the contract to commence from 1 April 2024 for a ten-year term (with the option to extend for a further five years) at an estimated whole life value of £30m. Whilst the properties are held within the Council's General Fund, the cost of this contract will be funded from the Operational Housing revenue budget.

4.2 In July 2020, the Council approved the re-opening and setting up of the Housing Revenue Account (HRA) for the provision of affordable housing. In the event that a cohort of the



properties being managed under this contract are transferred into the HRA, a proportionate amount of the housing management contract costs would also be chargeable to the HRA and would be accordingly factored into the HRA financial planning.

- 4.3 To note that, as per the previous report to Executive there are resource requirements that will be built up as part of the 2024/25 budget process in order to meet the Council's statutory obligations in relation to stock ownership and affordable housing management.

## **5. LEGAL IMPLICATIONS**

- 5.1 This report seeks approval to proceed to procurement for housing management services for Bromley owned housing portfolio via an open tender at an estimated value of £2m. The proposed contract will commence from 1 April 2024 for a ten-year term (with the option to extend for a further five years) at an estimated whole life value of £30m. The background to this is set out in the executive report HPR 2022/050.
- 5.2 The Council has certain legal duties and powers towards persons to whom the council provides housing tenancies to under the Housing Act 1985 and must comply the regulatory requirements and standards set by the Regulator of Social Housing under the Housing & Regeneration Act 2008 and the Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010. The Council therefore have the legal power to manage those tenancies and to enter a contract with a provider for the provision of general housing management services.
- 5.3 This is a services contract for the purposes of the Public Contracts Regulations 2015. As the value exceeds the relevant threshold under the Regulations the Council is required to carry out a fully compliant Procurement exercise.
- 5.4 The Council's specific requirements for authorising proceeding to procurement are covered in 1.3 of the Contract Procedure Rules with the need to obtain the formal Agreement of the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance for a procurement of this value. In accordance with CPR 2.1.2, Officers must take all necessary professional advice and this procurement must be carried out using the Council's e-procurement system (CPR 3.6.1). Executive approval is required for a procurement of this value (CPR 5.4).
- 5.5 Procurement colleagues have confirmed elsewhere within this report, 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.

## **6. PROCUREMENT IMPLICATIONS**

- 6.1 This report seeks approval to proceed to procurement for housing management services for Bromley owned housing portfolio via a competitive Open tender, for a period of ten years with an option to extend for a further five years from 1 April 2024. The estimated value being £2m . per annum with an estimated whole life value of the Contract being £30m.
- 6.2 The Procurement Competition process requires an Invitation to Tender making use of public advertisement (including Contracts Finder and Find a Tender).
- 6.3 This is an above threshold service contract covered by Schedule 3 of the Public Contract Regulations 2015.
- 6.4 The Councils specific requirements for authorising proceeding to procurement are covered in Rules 1 and 5 of the Councils Contract Procedure Rules with the need to obtain the approval of PDS, and Executive following agreement of the Assistant Director Governance & Contracts, the Director of Finance, the Director of Corporate Services for a procurement of this value.

- 6.5 In accordance with Contracts Procedure 2.1, Officers must take all necessary professional advice.
- 6.6 In compliance with the Council's Contract Procedure Rules 3.6, this procurement must be carried out using the Council's e-procurement system.
- 6.7 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.
- 6.8 There are no direct Procurement implementations in relation to the resource proposal to oversee the contractual management of all associated Housing Contracts or the Beehive Scheme.

**7. PROPERTY IMPLICATIONS**

- 7.1 Strategic Property have been consulted as part of this process and confirm that they support the recommended approach for the retendering of the management contract. As the recommended approach is to continue under a similar arrangement to the one that is currently in place (i.e. a lease structure) there will be no material impact that Strategic Property needs to provide further comment on.

**8. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS**

- 8.1 The Public Services (Social Value) Act 2012 requires Local Authorities to have regard to economic, social, and environmental wellbeing in connection with public service contracts. In doing so, the London Borough of Bromley contracted services must consider these factors when tendering for a new service and measures must be put in place to ensure that Providers adhere to the Council's Social Value and Local /National Priorities.
- 8.2 In proceeding to procurement, the new Housing Management contract and service specification will be reviewed to maximise the Social Value opportunities. For example, Providers will be asked to convey via the tender their Social Value strategy which will include detail on what they will do to grow the local economy e.g., via apprenticeships and work placements for residents. Providers will also be asked to consider the impact of their service on the environment. This may include encouragement of active travel for staff and service users and resource efficiency in terms of sourcing equipment, in line with the Council's Net Zero Carbon ambitions.

**9 CUSTOMER IMPACT**

- 9.1 The accommodation provided ensures that the Council is able to meet its statutory responsibilities in respect of housing. 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.

<b>Non-Applicable Headings:</b>	Ward Councillor Views
Background Documents: (Access via Contact Officer)	Housing Management Procurement option HPR 2022/050

Report No.  
HPR2022/032

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** **EXECUTIVE**  
For decision scrutiny by the Executive, Resources and Contracts Policy, Development and Scrutiny Committee

**Date:** 20 September 2023

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

**Title:** **HOMES FOR UKRAINE**

**Contact Officer:** Tracey Wilson, Head of Compliance & Strategy  
Tel: 020 8313 4515    E-mail: Tracey.Wilson@bromley.gov.uk

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

**Ward:** All Wards

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1. Reason for decision/report and options

- 1.1 This report provides an update on the Homes for Ukraine response by the Council and approach going forward.
- 1.2 An update on the Homes for Ukraine scheme will be provided to Executive quarterly, this report is the third of the update reports.
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2. **RECOMMENDATION(S)**

The Executive, Resources and Contracts Policy, Development and Scrutiny Committee are asked to:

- 2.1 Note the content of this report which details the work undertaken to date to support households arriving in Bromley under the Homes for Ukraine scheme.

The Executive is requested to:

- 2.2 Review and note the contents of this report in relation to the current activities under the Homes for Ukraine scheme.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Summary of Impact: The support will assist families with community integration, education, and employment opportunities
- 

## Transformation Policy

1. Policy Status: Not Applicable
  2. Making Bromley Even Better Priorities:
    - (1) For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
    - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
    - (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
    - (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: N/A
  2. Ongoing costs: N/A
  3. Budget head/performance centre: Operational Housing
  4. Total current budget for this head: £net zero
  5. Source of funding: Department for Levelling Up, Housing and Communities/DfE
- 

## Personnel

1. Number of staff (current and additional): 8 FTE
  2. If from existing staff resources, number of staff hours: 0
- 

## Legal

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

## Procurement

1. Summary of Procurement Implications: Not applicable
- 

## 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): 1162
- 

### 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 Homes for Ukraine Scheme was launched on 14 March 22 by the Secretary of State for Levelling Up, Housing & Communities.
- 3.2 The number of people who can access this scheme is uncapped and is dependent on the capacity of the sponsors who come forward.
- 3.3 On the 14 December 2022, the Government announced that over 100,000 Ukrainian guests are now safe in the United Kingdom. 37,500 more have valid visas and may choose to travel to the United Kingdom.
- 3.4 The Government has also announced that the £350 'thank you' payments, will be extended from 12 months to a maximum duration of two years. The UK Government will also increase the minimum 'thank you' payments for hosts from £350 per month to £500 per month, once a guest has been residing in the UK for 12 months. This additional financial support is aimed at helping existing hosts to continue with their sponsorship, as well as new hosts who come forward to offer a home to Ukrainian individual for family.
- 3.5 Guests will be able to live and work in the UK for up to 3 years and access benefits, healthcare, employment, and other support.
- 3.6 There is also a second scheme, called the Ukraine Family Scheme, the main differences between the two schemes are that the households entering the UK on a Ukraine Family scheme visa will not be entitled to the £200 interim payment and the sponsor household (family member) will not be able to access the monthly 'thank you' payment.
- 3.7 Bromley has a reasonable-sized Ukrainian Community already, with approximately 560 households residing in Bromley. It is assumed that many of these households will have housed family members from Ukraine, which may not be sustainable in the longer term due to overcrowding, leading to homelessness approaches to the Council.

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

- 3.8 A dedicated team is in place to coordinate the work ensuring all statutory requirements are fulfilled to hosts and sponsors. There has been a strong focus on utilising volunteers wherever possible.
- 3.9 In order to meet the funding conditions a number of checks are required to be undertaken and inputted into Foundry the Government Portal for accessing Homes for Ukraine cases, these checks are;
  1. Residential Address Exists
  2. Accommodation Visited and Suitable
  3. DBS initiated
  4. Safeguarding Checks Completed
  5. Group Arrived in Accommodation

The Local Authority is expected to carry out Home Visits to every sponsor address prior to arrival of the Guest household (where practicable) to ensure it is suitable to accommodate the guest household. The accommodation should;

- be kept clean and in a reasonable state;
- have adequate kitchen and bathroom space;
- have access to drinking water;

- have a working smoke detector on each floor of the property and other fire safety precautions suitable for the building e.g., fire doors or escape routes as appropriate.
- have a working carbon monoxide detector in any room containing a solid fuel burning appliance (e.g., a coal fire, wood burning stove);
- have sufficient heating to keep the property at a comfortable temperature;
- have safe gas appliances and fittings and flues; you should consider whether a Gas Safety check is needed;
- have safe and working electrics, which a qualified electrician can help with if you are unsure;
- be reasonably free from damp or mould;
- have doors and windows at entry level that lock properly;
- be easy and safe to move around in, without excessively steep staircases that may cause harm.

3.10 A basic DBS (disclosure and barring service) check must be requested for every sponsor household member over the age of 16 and if the guest household contains a child or a vulnerable adult, then an enhanced DBS check should be requested. In addition to the above Welfare Checks, checks are carried out with Social Care colleagues to ensure that sponsor households are not vulnerable, this also includes checking with Early Intervention.

3.11 Sponsors are required to:

- Meet the eligibility and suitability requirements to be approved as a sponsor.
- Provide suitable accommodation for a minimum of 6 months. Accommodation needs to be free from serious health and safety hazards ensuring the property is safe for guests and in a suitable condition.
- Check their mortgage lenders website for further guidance.
- Notify their insurers that they will be hosting guests from Ukraine, prior to their arrival.
- Homeowners in the UK who want to temporarily house people from Ukraine who have been displaced from the conflict in Ukraine as non-paying guests with them in their primary residence do not need to inform their insurer and their cover will remain the same. Sponsors should be aware of any existing terms that might apply to non-paying guests within their insurance policy and contact their insurer if they wish to discuss their cover or other changes in circumstances.
- Stay in regular contact with their guests prior to their arrival to help organise and coordinate their arrival in the UK, meet them on arrival, and provide their guests with instructions on how to reach their accommodation if they are unable to meet them.
- Support and help guests to adapt to life in the UK, initially checking if they have enough food and supplies, along with checking if they have access to a mobile phone and internet to stay in touch with family members.
- Sponsors should help direct their guests to public services for example, registering with a GP or NHS dentist.

3.12 Guests receive the following from the Council at their Welcome Visit:

- Information pack in Ukrainian (available in Russian if required) - containing Welcome Letter, ESOL information, Safeguarding Flyer, NHS information, pre-paid card acceptance form, guide to living in the UK
- Pre-Paid Card per guest household with £200 per individual. The pre-paid cards gives the most flexibility and independence as guests can withdraw money from any cashpoint without the need for a bank account and they are also able to use it in any shop to purchase items
- Essential Toiletries Pack per household - shampoo, conditioner, toothbrush(es), toothpaste, shower gel, deodorant, wipes, tissues and sanitary towels
- Essential furniture/bedding - if required such as; bed, mattress, cot, wardrobe, hanging rail, chest of drawers, stair gates, bedding.

- Carbon Monoxide detectors available if required.
- Smoke Detectors available if required.

Travel Assistance – one-off payment to existing pre-paid card for £89.50 per adult and £15 for all Ukrainian Guest children over the age of 10 years to cover the administrative fee at the Post Office for the Zip Card

### Service Profile / Data Analysis

- 3.13 There are currently 798 guests (411 families this includes 246 children) that have arrived under the Homes for Ukraine scheme to date, and it is assumed that many, in addition have also arrived to live with existing family members.
- 3.14 The Council has been receiving £10,500 quarterly in arrears for every guest, providing the above checks have been undertaken and are satisfactory. The Government announced on the 14 December that the council tariff will reduce to £5,900 per person for arrivals entering the UK from 1 January 2023. This funding is provided to enable the Council to provide support to families to settle in. Funding is going direct to those with visas under the Homes for Ukraine scheme and to fund staffing and other costs, outlined in the financials.
- 3.15 Latest projections indicate approximately 350 children arriving under the Homes for Ukraine scheme.
- 3.16 The table below shows the number of households who have approached for homelessness advice and how many households have gone into temporary accommodation for both January and the numbers as they stand in August, this will include the numbers shown in January.

	Homes for Ukraine Scheme	Homes for Ukraine Scheme	Ukraine Family Scheme	Ukraine Family Scheme
	January 2023	August 2023	January 2023	August 2023
Homeless Approaches	41	88	36	45
Households in Temporary Accommodation	12	14	8	7
Households in Private Rented Sector Accommodation	5	5	1	3

- 3.16 300 children arriving through the Homes for Ukraine is anticipated to attract £2.1m Education grant, based on an assumption of the age breakdown. On this basis, each additional 100 children arriving would attract c£720k of Education grant.
- 3.17 Education receive a separate grant to support the additional school placement costs:  
 Early years (2-4) £3,000  
 Primary (5-11) - £6,580  
 Secondary (11-18) £8,755



- 3.18 The Homes for Ukraine – Additional Support Request Form has been extended to the academic year 2023-24, supporting our schools in further facilitating community inclusion and cohesion within their school communities for our Ukrainian guests. For example, this may include interventions such as cultural input to the weekly school menu with Ukrainian dishes or healthy snacks. It does not replace existing support for our children and young people through our other teams and services, such as special educational needs or social, emotional, and/or mental health and concerns in relation to attendance. The team can be contacted on [Ukraine.Education@bromley.gov.uk](mailto:Ukraine.Education@bromley.gov.uk) for any queries.
- 3.18 A successful training day was held for school colleagues in Bromley before the end of the last academic year, with a focus on English for conference for schools which will provide practical information and training about the English as an Additional Language (EAL) support on offer to all Bromley schools.
- 3.19 The Family Learning Programme has a total of 11 schools working with the team this year to deliver structured ESOL courses to our pupils and their parents, delivered by tutors from the Bromley Adult Education College.
- 3.20 Bishop Justus School is also working with the team and is hosting support for their pupils with volunteers from the Rotary Club offering English lessons on site.
- 3.21 Informal English Lessons are available to all young people aged 11-16 years old at the Hope Church Bromley (near Norman Park).
- 3.22 Cautious decisions are continuing to be made in terms of spend and there has been a strong focus on utilising volunteers wherever possible.

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

- 4.1 The support will assist families with community integration, education, and employment opportunities.
- 4.2 Weekly Ukraine Support Hub in place, providing support from range of internal and external organisations for example: Housing, DWP, Education, Social Care, Public Health, Bromley Y, HR Recruitment etc. This has proved to be really helpful for guests and sponsors alike, with each hub attended by at least 30 people, some of whom return weekly.

#### **5. TRANSFORMATION/POLICY IMPLICATIONS**

- 5.1 Department for Levelling Up, Housing & Communities has set out the guidance, outlining the role of Councils.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 In a previous report to the Executive, it was agreed that a level of funding up to £1,171k, mainly for staffing, be approved. This covered the main grant element and the Education element.
- 6.2 Since that report further costs have been identified and officers are quantifying these, and these will be brought back to the Executive in due course. These include costs for temporary accommodation due to sponsor/guest breakdown, social worker costs and other sundry costs

across a range of Council services. To cover this eventuality, delegated authority was sought and agreed when the last report came to the Executive in June.

- 6.3 All costs relating to this scheme will be covered off by the grants so will be cost neutral in the short term. As mentioned in the main body of the report the grant for each new guest will reduce from £10,500 to £5,900 from the 1<sup>st</sup> January 2023. Despite this reduction it is expected that the total grant will still cover the costs incurred by the Council.
- 6.4 Officers are currently in discussion with DLUHC regarding the ability to carry over and unspent grant into the following financial year.
- 6.5 Government have also announced that the 'thank you' payment will increase to £500 per month once a guest has been in the UK for 12 months. The 'thank you' payments are cost neutral and are in effect and 'in and out' for the Council as they are paid to the sponsor and the Council reimbursed by the Government.

## **7. PERSONNEL IMPLICATIONS**

- 7.1 No outsourcing or TUPE required.

## **8. LEGAL IMPLICATIONS**

- 8.1 This is an update report on how the Homes for Ukraine initiative has been progressing. The Government launched the Homes for Ukraine scheme on the 14<sup>th</sup> of March 2022. The scheme is open to Ukrainian nationals who were residents in Ukraine prior to 1 January 2022 and also to their immediate family, to come to the UK by way of a Sponsor. There must therefore be a Sponsor and Applicants can apply to the Government to be accepted on to scheme.
- 8.2 The number of people who can access this scheme is uncapped and is dependent on the capacity of the Sponsors who come forward. Guests will be able to live and work in the UK for up to 3 years and access benefits, healthcare, employment, and other support.
- 8.3 The Government have issued Guidance to Councils on how the Scheme operates and what is expected of Council's in playing their part under the Scheme. A tariff Grant is payable to the Council which is intended to cover the number of individuals located within the Council area together with the administration of 'thank you' payments to Sponsors. Conditions will be attached to payment of the Grant. These conditions are likely to be acceptable to the Council on the basis of the draft conditions set out in the Guidance.
- 8.4 Under its various housing, public health, education, children, and adult care powers the Council has the legal power to carry out the activities anticipated under the Grant (as explained elsewhere in this report and the Guidance) together with the Council's general Power of Competence to do anything that an individual can lawfully do under section 1 of the Localism Act 2011. The Guidance makes it clear that the Council's general duties towards relevant individuals and homes must be performed as usual which will include duties towards children and adults under the Care Act 2014 (including care and support and safeguarding) and Children Act 1989 and Housing including where relevant homelessness and overcrowding duties.
- 8.5 The tariff Grant is not ringfenced and any reconciled surplus must be paid back to the Government. Further general support grants should be available in relation to education and health as mentioned elsewhere in this report and the Guidance issued so far.

## 9. PROCUREMENT IMPLICATIONS

9.1 Not applicable

## 10. PROPERTY IMPLICATIONS

10.1 Not applicable

## 11. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

11.1 The Homes for Ukraine scheme will add social value and benefit the local economy as many of the guests arriving are skilled professionals looking for work.

11.2 Four guests from the Homes for Ukraine scheme have been employed by Bromley Council and are working in both the Homes for Ukraine team and the wider Housing Team.

11.3 The support being offered by the Council is incredibly important as a preventative measure to support both sponsors and guests to avoid potential problems and relationship breakdown leading to homelessness.

11.4 By virtue of sponsors offering a home and also the meet up sessions enabled by the Council, this helps to meet the Tackling Loneliness Strategy.

## 12. CUSTOMER IMPACT

Homes for Ukraine is a sponsorship scheme that allows people and organisations in the UK to offer Ukrainians fleeing the war a home.

## 13. WARD COUNCILLOR VIEWS

Not applicable

<b>Non-Applicable Headings:</b>	9, 10
Background Documents: (Access via Contact Officer)	Not Applicable

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Report No.  
HPR2023/050

London Borough of Bromley

PART ONE - PUBLIC

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

**Date:** For Pre-Decision Scrutiny by Renewal, Recreation and Housing PDS  
Committee on 6 September 2023

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

**Title:** LIBRARY WORKS PROGRESS AND CROFTON ROMAN VILLA

**Contact Officer:** Lydia Lee, Assistant Director Culture and Regeneration  
Tel: 020 8313 4456 E-mail: lydia.lee@bromley.gov.uk

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

**Ward:** All Wards

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1. Reason for decision/report and options

- 1.1 This report provides an update on the library works programme, and information on repairs to Crofton Roman Villa. To enable the library works programme delivery pace to continue the Portfolio Holder and Executive is asked to agree to approve and delegate authority to enter into the contracts required to take forward repairs at Southborough and Beckenham libraries.

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2. **RECOMMENDATION(S)**

**That the Renewal, Recreation and Housing PDS Committee:**

- 2.1 **Notes the contents of the report and make any comments available to the Portfolio Holder and the Executive.**

**That the Portfolio Holder for Renewal, Recreation and Housing:**

- 2.2 **Agrees to delegate authority to award the library works multi-disciplinary consultancy contract, estimated value £800k, to the Director of Housing, Planning, Property and Regeneration;**
- 2.3 **Agrees to proceed to tender for the works at Southborough Library at an estimated value £490k given how close this is to the £500k threshold; and,**

- 2.4 Delegates authority to the Director of Housing, Planning, Property and Regeneration, to award the works contract for Southborough Library given how close the estimated value is to the £500k threshold, as long as the winning tender is affordable within the Operational Property Review budget.**

**That the Council's Executive:**

- 2.5 Agrees to proceed to tender for the works contract for Beckenham Library at an estimated value of £1.4m;**
- 2.6 Agrees to delegate authority to the Director of Housing, Planning, Property and Regeneration in consultation with the Portfolio Holder for Renewal, Recreation and Housing, to award the works contract for Beckenham Library, estimated value £1.4m, as long as the winning tender is affordable within the Operational Property Review library programme budget;**
- 2.7 Note the information on works to Crofton Roman Villa and the request as set out in para 3.19 to utilise the OPR budget for this site as match funding towards bids for grants to improve the information on site and improve visitor experience; and,**
- 2.8 Delegate authority to the Director of Corporate Services to enter into and manage legal matters relating to these works to allow works to progress.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The library service is free to access and available to all.
- 

### Transformation Policy

1. Policy Status: Existing Policy
  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.
    - (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 £2.69m
  2. Ongoing costs: Non-Recurring Cost
  3. Budget head/performance centre: Operational Property Review – Libraries budget
  4. Total current budget for this head: £11.016m
  5. Source of funding: Capital receipts
- 

### Personnel

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

### Legal

1. Legal Requirement: Statutory Requirement: Libraries are a statutory service
  2. Call-in: Not Applicable
- 

### Procurement

1. Summary of Procurement Implications: The approach is in line with the Council's policy.
- 

### Property

1. Summary of Property Implications: These works are included in the Operational Property Review previously agreed.
- 

### Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Grant funding will be sought to include more sustainable energy sources.
- 

### Impact on the Local Economy

1. Summary of Local Economy Implications: Investment across the borough will have a positive economic impact, as will access to information for residents.
- 

### Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: N/A
-





### Customer Impact

1. Estimated number of users or customers (*current and projected*): The 2021 Census identified that 330,000 people live in London Borough of Bromley. There are currently 31,224 registered library members who used their library card to borrow an item in a Bromley library in 2022 representing 9.5% of the population of the Borough. This is an increase on 2021 figures.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: Ward Councillors for Southborough and Beckenham libraries are supportive of the recommendations. Ward Councillors for Crofton Roman Villa are also supportive of the report commentary.

### 3. COMMENTARY

- 3.1 A report was taken to the June Renewal, Recreation and Housing PDS on the library works programme. Report number HPR 2023/035.
- 3.2 Following this report officers went out to tender for the consultancy team to prepare the works specifications for the repair works to nine of the borough's 14 libraries. These libraries are: Beckenham, Burnt Ash, Chislehurst, Hayes, Mottingham, Orpington, Penge, Petts Wood and Southborough. The following libraries were not included: Biggin Hill (Mytime Active is responsible for the maintenance of this site), Shortlands, St Paul's Cray, West Wickham (subject to a separate redevelopment currently underway) and Central Library (this site is being considered separately).
- 3.3 The library estate is in poor repair and the Operational Property Review (OPR) process allocated a budget of £11.016m (including share of OPR consultancy costs budget) to the library works programme to bring the buildings up to a good standard, and this budget was agreed by the Executive on 30<sup>th</sup> November 2022 and then by Full Council.
- 3.4 The extent of repair works required mean that, to avoid future temporary building closures across the library estate from broken boilers and other issues, officers are working to complete the works programme within two years. Given that libraries are a statutory service, and therefore the works need to be staggered so that residents continue to be able to access libraries, it is important that, following the completion of the St Paul's Cray Library repair works, momentum is maintained and works begin this year on the next site.
- 3.5 The following works timetable sets out the order in which library works will be undertaken and the estimated dates for site closure whilst the repairs are made. Officers prepared this timetable based on the urgency of the works and geographical spread.

Nov 23 - Mar 24	Southborough
Jan 24 - Sep 24	Beckenham
Mar 24 - Jun 24	Hayes
May 24 - Feb 25	Orpington (including contact centre)
Jul 24 - Oct 24	Mottingham
Sep 24 - May 25	Chislehurst
Nov 24 - Mar 25	Burnt Ash
Jan 25 - Apr 25	Petts Wood
Mar 25 - Jun 25	Penge

- 3.6 The multi-disciplinary consultancy tender return deadline is Friday 8<sup>th</sup> September. Following the receipt of the tender returns officers are planning to evaluate and award the contract by mid-October to allow works to commence at Southborough Library by the end of November, and in Beckenham by the end of January 2024. Given the condition surveys have already been undertaken it is expected that the works specifications can be produced in good time.
- 3.7 To enable this pace of delivery, the Portfolio Holder and the Executive are asked to agree to delegate authority to the Director of Housing, Planning, Property and Regeneration to award: the programme consultancy contract; the works contract for Southborough; and the works contract for Beckenham. Members have indicated that they wish the library works programme to be undertaken as swiftly as practical given that some sites have in the last year experienced temporary closures due to building issues which impact on community access.

- 3.8 The estimated contract value for the multi-disciplinary consultancy contract is £800k. The estimated cost of the repair works to Southborough Library is £490k. The estimated cost of the repair works to Beckenham Library is £1.4m.
- 3.9 The procurement approach to the works contracts for both Southborough and Beckenham libraries will be the Request for Quote (RFQ) process. A minimum of three fixed price quotes will be sought from contractors with experience in the repair of library/leisure/cultural buildings. It will be a closed tender process. This approach is considered appropriate given the nature of the works is repairs, and there is no complex design element to these works. These works do not involve new build or extensions, they are building repairs and the renewal of end-of-life materials. The works contractor who undertook the repair of St Paul's Cray library, which is now complete, was procured via a Change Control Notice to the Greenwich Leisure Ltd contract.
- 3.10 There will be an additional cost to the Beckenham Library works scheme due to the provision of a temporary library facility, and the cost of this is factored into the overall £11.016m budget allocation. Temporary library facilities will be provided during the closure periods of Beckenham, Orpington and Chislehurst libraries. This is because the works at these three sites are particularly significant and therefore each site is expected to be closed for nine months. Given the length of these closure periods, and that libraries are a statutory service, temporary library facilities will be opened in these three locations, in the same way that they are being provided during the works closure for West Wickham Library, subject to suitable vacant premises being found.

#### St Paul's Cray Library

- 3.11 St Paul's Cray library repair works have now been completed, with remodelling of the site also undertaken to enable the move of St Paul's Cray Community Support Centre into the building. The works were completed under budget within the estimated cost envelope of £609k, and all items on the condition survey were replaced or repaired, and the site was fully redecorated including externally. As part of the works the layout was reconfigured to provide a public toilet. The site reopened on Tuesday 8<sup>th</sup> August.

#### Shortlands Library

- 3.12 Shortlands library continues to be assessed by the Property Team, and until the extent of the seasonal subsidence at the building is known, no repair works will be undertaken at this site until Property has concluded their investigations.

#### Additional grant funding

- 3.13 The regeneration team is actively seeking grant funding to complement the library repair programme. The type of grant funding that will be pursued will be: funding for specialist equipment, such as the Obie by Exergame already used at Mottingham Library; funding to bring Bromley Historic Collections items out of storage and on to public display; and funding to improve the energy efficiency of the buildings or install renewable energy sources.

#### Library service contract

- 3.14 The current ten-year service contract with Greenwich Leisure Ltd comes to an end on 31<sup>st</sup> October 2027. The repair works undertaken to the buildings will put the Council in a strong position when the contract is retendered, or renegotiated with GLL (there is an option to extend for five years). Ultimately the aim is for the library buildings to move to Full Repairing and Insuring leases, which this repair programme will enable. Whilst this is alone unlikely to lead to significant savings, it will reduce risk for the Council, and the repair works will lead to savings in relation to energy bills and reactive patch maintenance.

## Crofton Roman Villa

- 3.15 The libraries OPR budget of £11.016m includes funding not only for repair works to the library estate but also the Community Support Centre provision, and Crofton Roman Villa building. The original condition survey from 2021 undertaken at the villa site identified c£50k of repairs, although the OPR estimated that the works could cost up to £500k given the age of the mechanical and electrical systems and lack of heating, the lack of insulation, condition of the roof, the age of the windows, site security, as well as general wear and tear. Additionally sanitary facilities are required at this site to ensure it remains sustainable.
- 3.16 The Ancient Scheduled Monument (the Roman Villa), which the building protects, is itself in good condition and requires no works. The monument is cared for by Kent Archaeological and Rescue Unit (KARU). KARU have a license to manage the site on behalf of the Council and receive a small grant each year to cover basic costs.
- 3.17 Officers have visited the Roman Villa and spoken to KARU about the site and the need to ensure that it has a sustainable future. The Roman Villa is the only one in London open to the public to visit, and is extensively visited by local schools. The site is open between April and October each year and therefore any works undertaken would be planned for the winter months as far as possible.
- 3.18 An up-to-date condition survey is currently being undertaken for this site, after which a multi-disciplinary consultancy team will be appointed to prepare a works schedule for the site. Appropriate approvals will be sought once officers are ready to proceed to undertake the works.
- 3.19 Officers are also seeking authority to use the existing budget as match funding to apply for grants towards improving the interpretation and visitor experience at Crofton Roman Villa. This will be no additional cost to the Council but if successful could enhance facilities.

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

- 4.1 The Library works programme will have a positive impact on vulnerable adults and children. Libraries are a statutory service and are free to access. Libraries support learning, training, wellbeing and access to information on housing and other services.

## **5. TRANSFORMATION/POLICY IMPLICATIONS**

- 5.1 The repair programme will as far as possible provide opportunities for better, more intensive use of the library estate. For example at Orpington Library the Children's Contact Centre is expected to be moved onto the second floor as part of this works programme. At St Paul's Cray the library building now also hosts the local Community Support Centre.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The proposals contained within this report have a total value of approximately £2,690k (£1,400k Beckenham Library; £490k Southborough Library; £800k for cross-cutting multi-disciplinary consultancy contract.) These sums are fully contained within the total budget of £11,125k for libraries (including delivery costs which are on top of the £11.016m set out in this report) in the Operational Property Review programme, added to the capital programme reported to Executive in January 2022.
- 6.2 The proposals, as reported, have no impact on ongoing revenue budgets.

## **7. LEGAL IMPLICATIONS**

- 7.1 This report seeks approval to;

- a) delegate authority to award the library works multi-disciplinary consultancy contract, estimated value £800k, to the Director of Housing, Planning, Property and Regeneration.
- b) delegate authority to the Director of Housing, Planning, Property and Regeneration, to award the works contract for Southborough Library
- c) delegate authority to the Director of Housing, Planning, Property and Regeneration in consultation with the Portfolio Holder for Renewal, Recreation and Housing, to award the works contract for Beckenham Library, estimated value £1.4m, provided the winning tender is affordable within the Operational Property Review library programme budget.
- d) proceed to tender for the works at Southborough Library at an estimated value £490k
- e) proceed to tender for the works contract for Beckenham Library at an estimated value of £1.4m.

7.2 The background to this report is set out in Report number HPR 2023/035.

7.3 The Council has a duty under Section 7 of the Public Libraries and Museums Act 1964 to provide a “comprehensive and efficient” public library service, in particular that “facilities are available” and “encouraging adults and children to make full use of the library”. The Council has both an implied and a specific power under section 111 of the Local Government Act 1972 to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

7.4 These are works contract, and the value of this procurement falls below the thresholds set out in the Public Contracts Regulations 2015 so is only subject to Part 4 of the Regulations. The procurement must comply with procurement principles of transparency and equal treatment.

7.5 Procurement colleagues have confirmed elsewhere within this report that 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.

## **8. PROCUREMENT IMPLICATIONS**

8.1 This report sets out the rationale for the Delegated Authority to award the library works multi-disciplinary consultancy contract, currently out to tender.

8.2 This report further seeks the permission to Proceed to procure and Delegated Authority for Southborough and Beckenham Libraries, using a closed Request for Quotes process.

8.3 Due to the estimated contract value and the classification of the contract as a works contract, the procurement process shall comply with the Public Contracts Regulations 2015 for a below threshold procurement process.

8.4 The Council’s specific requirements for authorising proceeding to procurement are covered in 1.3 of the Contract Procedure Rules with the need to obtain the formal Approval of the following the Agreement of the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance for a procurement of this value. In accordance with CPR 2.1.2, Officers must take all necessary professional advice.

8.5 In compliance with the Council’s Contract Procedure Rules (Rule 3.6.1), this procurement must be carried out using the Council’s e-procurement system.

8.6 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.

## **9. PROPERTY IMPLICATIONS**

- 9.1 With the exception of Mottingham and Penge libraries the properties including Crofton Roman Villa are owned by the Council on a freehold basis. Mottingham Library is held on a 999 year lease expiring in 2991 and Penge Library in 2047. The Council should remain mindful of the leasehold requirements concerning works undertaken to those properties. Strategic Property are able to offer guidance where required in this regard.
- 9.2 The libraries are all let or sub-let in the case of Mottingham & Penge libraries to Greenwich Leisure Limited (GLL). The leases to GLL specify that the tenant has limited repairing obligations. A directory of the obligations to repair the libraries are clearly identified in the leases as to which party should bear responsibility for specific repairs. It is recommended that any works proposed are cross checked with the directory/schedules as set out in the leases.
- 9.3 Site access conditions should be considered. Occasionally there may be shared arrangements that are registered against the Council's freehold title. Corporate Services are able to interrogate HM Land Registry records and can report as appropriate.
- 9.4 Vacant or partial possession of the libraries may need to be secured to enable the works to be undertaken. Crofton Roman Villa has no lease in place thus a managed arrangement to secure a cleared site will be sufficient. Should the Council so wish, it is able to terminate the GLL leases on certain grounds from time to time. It is recommended that possession to facilitate any works should be managed by way of a formal agreement with the tenant.

## **10. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS**

- 10.1 The repair programme will improve the energy efficiency of the library buildings. Grant funding will be actively sought to fund renewable energy sources.
- 10.2 As part of the tenders for the consultancy contract a scored quality question was included on social value.

## **11. IMPACT ON THE LOCAL ECONOMY**

- 11.1 The repair of the libraries, given their geographical spread and number, will have a positive impact on wider regeneration across the borough.

## **12. CUSTOMER IMPACT**

- 12.1 The 2021 Census identified that 330,000 people live in London Borough of Bromley. There are currently 31,224 registered library members who used their library card to borrow an item in a Bromley library in 2022 representing 9.5% of the population of the Borough. This is an increase on 2021 figures. This does not include customers who used the library solely for purposes such as studying, activities or using public PC's.
- 12.2 Recently it was announced that Bromley is the highest book issuing authority in London beating Wandsworth, who have been number one for several years, to the top spot.

## **13. WARD COUNCILLOR VIEWS**

- 13.1 The views of the Farnborough and Crofton, Bickley and Sundridge, and Clock House ward councillors were sought, as well as the Beckenham Town ward councillors. All ward councillors who responded were positive about the report recommendations.

<b>Non-Applicable Headings:</b>	Personnel implications; impact on health and wellbeing;
Background Documents: (Access via Contact Officer)	HPR 2023/035

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Report No.  
HPR2023/052

London Borough of Bromley

## PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**Date:** For Pre-Decision Scrutiny by the Renewal, Recreation and Housing Policy Development & Scrutiny Committee on 6 September 2023

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

**Title:** FEASIBILITY FUNDING FOR REGENERATION OF STAR LANE TRAVELLER SITE

**Contact Officer:** Alicia Munday, Head of Regeneration  
Tel: 020 8313 4559 E-mail: Alicia.Munday@bromley.gov.uk

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

**Ward:** St Mary Cray;

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### 1. Reason for decision/report and options

- 1.1 On 30<sup>th</sup> November 2022, Executive (and Full Council in December 2022) agreed the budget for the Operational Property Review programme to be added to the Capital Programme. On March 29 2023, Executive agreed the details of the Operational Property Refurbishment Programme, including proceeding to procurement for supporting services and works to deliver the Programme.
- 1.2 The Gypsy, Roma and Traveller (GRT) Site in Star Lane in St Mary Cray has been identified in the Operational Property Review as requiring significant works. Whilst a provisional sum has been allocated for these works, it is not possible to confirm a works budget without more detailed surveys of the site, as well as community engagement of the best way of moving forward and progressing works on site. This report seeks approval for utilisation of £500k from the Operational Property Review capital budget for feasibility and engagement works.

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## 2. RECOMMENDATION(S)

- 2.1. The Renewal, Recreation and Housing PDS Committee are asked to comment on this report, and provide comments to the Renewal, Recreation and Housing Portfolio Holder.

Prior to the Council's Executive being asked to:

- 2.2. Approve the utilisation of £500k from the assigned Operation Property Review budget for feasibility works at the Star Lane Traveller Site;

- 2.3. Note the intent to allocate resources for the delivery of the programme as set out in 3.10 and 3.11, including procurement of necessary works and services to deliver the programme;
- 2.4. Approve an engagement programme with the residents of Star Lane to support a timetable for a works programme;
- 2.5. Approve the initiation of a planning application to make temporary use of the adjacent site to Star Lane for temporary pitches during a works programme;
- 2.6. Approve Road Adoption of a road into the site, and delegate Authority to the Director of Corporate Resources for any necessary legal arrangements of Road Adoptions; and,
- 2.7. Note the corporate risk of the current condition of the site.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The Star Lane site is not fit for purpose and carries corporate risk. It is currently having a negative impact on the lives of vulnerable adults and children and therefore the works are urgent.
- 

### Transformation Policy

1. Policy Status: Existing Policy
  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 people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
    - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
    - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- 

### Financial

1. Cost of proposal: Estimated Cost £500k
  2. Ongoing costs: Non-Recurring Cost
  3. Budget head/performance centre: Operational Property Review budget
  4. Total current budget for this head: £3m plus share of OPR delivery and contingency budget
  5. Source of funding: Capital receipts
- 

### Personnel

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

### Legal

1. Legal Requirement: Non-Statutory - Government Guidance
  2. Call-in: Applicable
- 

### Procurement

1. Summary of Procurement Implications: The procurement of the feasibility works will be undertaken in accordance with the Council's corporate procurement rules.
- 

### Property

1. Summary of Property Implications: The Traveller Sites are included within the approved Operational Property Review programme.
- 

### Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: N/A as this is feasibility works
-

### Impact on the Local Economy

1. Summary of Local Economy Implications: N/A as this is feasibility works
- 

### Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: The repair works to the traveller sites are crucial to the health and wellbeing of the community it serves.
- 

### Customer Impact

1. Estimated number of users or customers (*current and projected*): 21 families
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: see report

### 3. COMMENTARY

- 3.1. Councils are required by law to assess the accommodation needs of all people living in the area they are responsible for, and this includes Gypsies and Travellers. It is increasingly difficult for families to live the more traditional nomadic lifestyle many observed in the past and the Council takes a robust approach to illegal encampments.
- 3.2. The Local Plan identifies two Council owned sites in Bromley, alongside a number of other sites owned privately as protected for Traveller use. This provision was accepted as meeting the needs of the Traveller community when the Local Plan was examined in 2017.
- 3.3. It is recognised that to continue to meet the needs of the community and prevent illegal encampments in parks and other open land or highways it is important that these Traveller Sites are maintained to a standard that is suitable and available for the GRT community to a good living standard.
- 3.4. The 2 Council owned sites in Old Maidstone Road and Star Lane have been identified in the Operational Property Review (OPR) (report Executive November 2022) as requiring significant works. Consequently, a budget of £3m (plus share of OPR contingency and delivery budgets) was agreed by the Executive and then Full Council for their repair. This report focuses on progressing repair works at Star Lane; a further report will be brought forward for Old Maidstone Road.
- 3.5. The Council commissioned a condition report on Star Lane in 2021, and this report, amongst other things, identified, inappropriate utilities, poor foul management, some pitches with no hot water, an ageing amenity block, poor road management as well as potential contamination. An Executive summary of the report is included in Appendix A. It should be noted that the condition of the site, and some of the illegal works that have taken place on the site give rise to a corporate health and safety risk to the Council which must be mitigated.
- 3.6. Over time the pitches at Star Lane have become non uniform, some residents on the site have moved to other pitches, and as families have grown residents have tried to work within the site to keep families together as best, they can. This has made the site challenging from a management perspective and will also pose some challenges in undertaking capital works.
- 3.7. The site currently accommodates circa 21 families, and many of these are multiple generations. Regardless of the legislation requirement around making adequate provision for the GRT community, the council would not have suitable accommodation to house this number of people elsewhere. Many of the children are in settled school placements locally and are wedded to their local infrastructure.
- 3.8. The site itself is designated for Traveller Use only by the Bromley Local Plan 2019 and can therefore only be made available to the GRT community for meeting their needs.
- 3.9. The Council owns an adjacent parcel of land to the Star Lane site, and this may help support the repair works in terms of space available even if on temporary basis to help relocate people during a works programme. Whilst there is no identified need at this point to increase the number of pitches available at Star Lane, this could support temporary relocation but would require very careful management. The land, unlike the adjacent Traveller Site, lies within the Green Belt and therefore a planning application demonstrating 'very special circumstances' will be required to enable this temporary use, which is 'inappropriate' in the Green Belt. Use of the adjacent parcel over the longer term would require consideration of its current designation through the review of the Local Plan currently being undertaken, in response to updated evidence on traveller accommodation need. Regardless of this, the newly acquired site must be secured for future use and is currently being managed by the Environmental Services team.

3.10. In order to ascertain a detailed works programme on the site, it will be necessary to commission a number of surveys and undertake feasibility works, including some site clearance, road works, and site entrance works to secure the site as well-fixed term staffing or consultancy to support the works and appropriate planning application. In addition, it is recommended that there is a formal adoption of the road on the site, which will improve the condition and also make management and enforcement easier. To do this, officers are proposing an initial utilisation of £500k to commence this feasibility work. Officers will work with the community in Star Lane to ensure the feasibility works are undertaken successfully. Once the works are completed, a further report will be bought back to the Executive to identify the full repair works needed and the estimated budget requirement.

3.11. It is expected the funding will be utilised for the following components of work:

- Indicative surveys to test works needed to the site.
- Clearance of rubbish on site.
- Gates installed to prevent further poor waste management.
- Naming of road.
- To commence road adoption feasibility.
- Appropriate staff resources to manage this work.

3.12. Each procurement will be conducted in compliance with the Public Contracts Regulations 2015 and the Councils Contract Procedure Rules. The value of each procurement is expected to be within Officer delegated authority for proceeding to procurement and subsequent contract award.

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

4.1. The site accommodates a number of vulnerable adults and children, who are living in below satisfactory living conditions, some without hot water due to poor services on site. The works programme will improve the support for all residents and provide a suitable site management plan for the future.

#### **5. TRANSFORMATION/POLICY IMPLICATIONS**

5.1. The Council is committed to improving its Estate wherever possible and improving facilities for residents. These are works are part of the approved Operational Property Review.

#### **6. FINANCIAL IMPLICATIONS**

6.1. There is sufficient budget within the allocation of £3m for the Traveller's site OPR allocation to meet the cost of the feasibility studies. Although this gives approval to spend against this budget for this study, it does not give approval to spend the remaining budget, a report to executive will be required to request the utilisation of the remaining budget once the full cost of the works are known.

#### **7. PERSONNEL IMPLICATIONS**

7.1. There is a need for appropriate resource within the Regeneration team to manage these works, and the budget will include some allocation of staffing resource.

## **8. LEGAL IMPLICATIONS**

- 8.1. The Council has a statutory duty to manage and assess the accommodation needs of all people living in the relevant area they are responsible for including for Gypsies and Travellers. The general principles are also echoed in 'Bromley Local Plan (2019)', as per Clause 3.2 and 3.8 of the Report and also in the policy reflected in 'Making Bromley Even Better'.
- 8.2. This report seeks to approve feasibility funding for the Regeneration of the Star Lane Traveller site with an overall budget of £500k.
- 8.3. This Report also asks the Renewal, Recreation and Housing PDS Committee to analyse this report and to provide comments to the Renewal, Recreation and Housing Portfolio Holder accordingly. The Council's Executive is therefore asked to approve the utilisation of £500k from the assigned Operation Property Review budget for feasibility works and initial works; to note the intent to allocate resources for the delivery of the programme as stated in clauses 3.10 and 3.11, including procurement of necessary works and services to deliver the programme and to also approve an engagement programme with the residents of Star Lane to support a timetable for a works programme. The Council's Executive is also asked to approve the initiation of a planning application regarding the temporary use of the adjacent site to Star Lane for temporary pitches during a works programme, to approve the Road Adoption of site; to delegate authority to the Director of Corporate Resources for any necessary legal arrangement of Road Adoptions and lastly to also note the corporate risk of the current condition of the site.
- 8.4. In accordance with the Contract Procedure Rules, each Procurement must have a Gateway Report completed and also a Contract award Report for each recommendation of award.
- 8.5. The Procurement Team should also be consulted on the Procurement process (including the e-procurement system) and any governance requirements.
- 8.6. Each Procurement must be in accordance with the Council's Contract Procedure Rules and the Public Procurement Regulations 2015 to ensure a compliant procurement route is followed. For proceeding to Procurement and contract award, the value of each Procurement is likely to be within Officer delegated Authority.

## **9. PROCUREMENT IMPLICATIONS**

- 9.1 The report sets out the intent to procure a variety of works and services to support enabling works and feasibility studies for the development of the Star Lane Traveller Site. An overall budget of £500k is indicated.
- 9.2 Each procurement under this programme must use a compliant procurement route as required through the Public Contracts Regulations 2015 and the Councils Contract Procedure Rules. The value of each procurement, given the overall budget envelope, is likely to be within Officer delegated authority for both proceeding to procurement and subsequent contract award.
- 9.3 For each procurement, a suitable Gateway report (where required through the Contract Procedure Rules) setting out the detail of the planned procurement must be completed. Similarly, a Contract Award report must be completed for each recommended Award.
- 9.4 For each procurement, the Corporate Procurement Team must be consulted on the procurement approach, implementation (including use of the Council's e-procurement system) and any governance requirements.

## 10. PROPERTY IMPLICATIONS

- 10.1. The purpose of the OPR Programme is to ensure the effective use of the Council's operational property estate for the delivery of services.
- 10.2. The works to be considered under the OPR Programme are those where there is an accumulation of property infrastructure, maintenance and repair works that need to be dealt with and such other necessary works that will reduce the Council's repair and maintenance budget for a ten year period following completion of the works.
- 10.3. The extent and cost of the works required may be greater than the budget available and where this is the case works will be determined according to the following prioritisation; 1. Health & Safety and compliance, 2. Accumulated property infrastructure, maintenance and repair 3. Necessary works that will reduce the Council's property maintenance, repair and operating costs.
- 10.4. In the event that the extent of works required is completed at a cost that is under the approved budget then consideration will be given to remaining monies being redistributed within the OPR Programme to achieve the objectives of the Programme.

## 11 IMPACT ON HEALTH AND WELLBEING

- 11.1 The site is currently in need of significant repair and therefore these feasibility works are required to support the health and wellbeing of the residents.

## 12 WARD COUNCILLOR VIEWS

- 12.1 Ward Cllrs have been sought, those returned were supportive of the proposals and others provided will be tabled at the committee.

<b>Non-Applicable Headings:</b>	Carbon reduction/social value; Impact on Local Economy; Customer impact
Background Documents: (Access via Contact Officer)	Operational Property Review report, November 2022



### Executive Summary: Star Lane Feasibility Report

The London Borough of Bromley (LBB) issued a project brief in October 2020, outlining the task of conducting a feasibility study and site survey for the Star Lane Travellers Site in St Mary Cray, BR5 3LW. The objectives included restoring utility blocks, assessing roadways, street lighting, drainage systems, water supply, and electrical supplies.

The inspections were delayed due to access and security issues, but were eventually completed in March 2022, with support from LBB and the Metropolitan Police. Various surveys were carried out, including building fabric inspections, roadway visual inspection, CCTV drainage survey, electrical services inspection, and ground condition analysis.

#### **Key Findings:**

##### **Utility Blocks:**

- Windows, doors, rainwater goods, and fascias are aged uPVC and need replacement.
- External render systems are cracked, fractured, and poorly repaired, requiring stripping, rendering, and decoration.
- Profiled sheet steel roofs have cut edge failures needing treatment for longevity.
- Some buildings have steps exceeding the recommended 220mm height in Approved Document K.
- Internally, original kitchen units and sanitary ware are aged and require replacement. Internal finishes show signs of aging, with mould in many bathrooms and kitchens.
- Boundary walls comprise a mix of blockwork and timber, with timber fencing in varied condition. Minor repairs or rebuilding may be necessary. Responsibility for fencing lies with residents but needs to be implemented.
- Plot 10 reported Japanese Knot Weed, although not observed during inspections. A specialist is recommended for further investigation and necessary remediation.

##### **Electrical Services:**

- Incoming electrical supply capacity to each plot seems sufficient, but verification through load testing is required (not done due to survey limitations).
- Most existing electrical installations are in poor condition, with equipment and fittings likely over 15 years old.
- Consider complete electrical replacements for each block, including metering equipment and consumer units.
- When updating utility block lighting, install new self-contained emergency lights in kitchen/lounge areas, and add fire escape signage.
- Suggest replacing the current fire alarm system with mains-powered fixed temperature heat alarms and sounder bases in amenity blocks.
- Lack of available O&M manuals, testing records, and maintenance info prevents confirming electrical systems' performance.
- Street lighting not observed working during daytime surveys, found in poor visual condition; propose replacement. Further lighting tests and modelling to ensure proper illumination distribution throughout the site is needed.

##### **Drainage:**

- The survey covered 686 linear meters (LM) of drains across 66 sections.
- Out of these, 141 LM (42 sections) were abandoned.
- 16 sections were found needing structural repair, with 6 being categorised as more severe.

- 30 sections required general repair or clearance.
- The overall conclusion is that the drainage system is generally in poor condition, needing significant overhaul and replacement.

**Roadways:**

- Road surfaces are generally in poor condition, exhibiting various issues such as surfacing delamination, potholes of different sizes and depths and numerous patch repairs, services, and utility trench reinstatements.
- Recent trench reinstatement along roads on the site, but many areas show reinstatement failure impacting the original road structure.
- Some sections of the carriageway on the site show signs of potential weakness or failure in sub layers or road formation.
- Assumption made that entire trench reinstatement needs replacing with new full-depth carriageway construction, connected to existing structures.
- Removing surface layer could reveal more road construction problems; cost-effective approach is full-depth reconstruction of the entire road should be budgeted for.
- Vehicles parked on roadway must be removed for reconstruction. To prevent parking and control speeds, recommend introducing bollards and road calming measures.

**Ground Conditions:**

- Six hand-augured boreholes were successfully drilled, while three sites were abandoned due to services.
- The successful boreholes revealed that the hard stand areas were underlain with 'Made Ground', with natural Thanet Foundation found only in two sites.
- Using 'Made Ground' as a sub-grade for pavement or hardstanding is not typically recommended, as it poses a risk of settlement over time, requiring long-term maintenance.
- When planning road reconstruction, consideration should be given to removing the 'Made Ground' and using only the Thanet Formation soils at the formation level.
- Ground contamination tests on the six samples showed no hazardous materials. However, variations in ground and groundwater could exist beyond the specific investigation locations.

Report No.

London Borough of Bromley

## PART 1 - PUBLIC

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**Decision Maker:** EXECUTIVE

**Date:** Wednesday 20 September 2023

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

**Title:** COMMUNITY HOUSE, SOUTH STREET, BROMLEY BR1 1RH & BECKENHAM PUBLIC HALLS, BROMLEY ROAD, BECKENHAM BR3 5JE - FREEHOLD DISPOSALS

**Contact Officer:** Alexi Borg, Surveyor, Estate Management  
E-mail: [alexiborg@bromley.gov.uk](mailto:alexiborg@bromley.gov.uk)

Vince Sibley, Head of Estates & Asset Management  
Email: [vince.sibley@bromley.gov.uk](mailto:vince.sibley@bromley.gov.uk)

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

**Ward:** Bromley Town, Beckenham Town & Copers Cope

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### 1. REASON FOR THE REPORT

- 1.1 The report seeks authorisation to select a preferred purchaser following marketing of the below properties:
  - Community House, South Street, Bromley BR1 1RH
  - Beckenham Public Halls, Bromley Road, Beckenham BR3 5JE
- 1.2 The two properties are freehold interests held by the Council that have been identified as surplus to requirement to be included in the Disposal Programme as authorised by the Executive Committee in November 2022.
- 1.3 Capital receipts generated through the Disposal Programme are to be used to part fund the capital investment being undertaken across the Council's operational estate as set out within the Operational Property Review.

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## 2. RECOMMENDATION(S)

For Members of the ERC PDS to note the contents of this report and recommendations for the Executive, and for Members of the Executive Committee to note and approve the following the recommendations:

### **Community House, South Street, Bromley BR1 1RH**

- 2.1 Authorise acceptance of Offer A received for the Council's freehold interest known as Community House, South Street, Bromley BR1 1RH and to proceed to completion with the transaction.
- 2.2 To delegate authority to Director of Housing, Planning and Regeneration to finalise terms of sale in order to proceed with the transaction and conclude the disposal.
- 2.3 To delegate authority to the Director of Housing, Planning and Regeneration to accept Offer C, formalise the terms and complete the transaction, should Offer A fail to complete.
- 2.4 The legal and professional costs associated with completing the transaction are to be funded from the capital receipt received.
- 2.5 Details of the commercial terms of the offer being recommended for freehold disposal are commercially sensitive and therefore included within Part 2 of this report.

### **Beckenham Public Halls, Bromley Road, Beckenham BR3 5JE**

- 2.6 Authorise acceptance of Offer A received for the Council's freehold interest known as Beckenham Public Halls, Bromley Road, Beckenham, BR3 5JE and to proceed to completion with the transaction.
- 2.7 To delegate authority to Director of Housing, Planning and Regeneration to finalise terms of sale in order to proceed with the transaction and conclude the disposal.
- 2.8 To delegate authority to the Director of Housing, Planning and Regeneration to accept Offer B, formalise the terms and complete the transaction, should Offer A fail to complete.
- 2.9 The legal and professional costs associated with completing the transaction are to be funded from the capital receipt received.
- 2.10 Details of the commercial terms of the offer being recommended for freehold disposal are commercially sensitive and therefore included within Part 2 of this report.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
- 

### Corporate Policy

1. Policy Status: Existing Policy
  2. BBB Priority: Excellent Council
- 

### Financial

1. Cost of proposal:
  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): Not applicable
  2. If from existing staff resources, number of staff hours: Not applicable
- 

### Legal

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

### Procurement

1. Summary of Procurement Implications: Not applicable
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not Applicable
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

#### 3.1 **Community House, South Street, Bromley BR1 1RH**

- 3.1.1 The Council seeks to dispose of the freehold interest in 'the Property' known as 'Community House, South Street, Bromley BR1 1RH'. The property comprises locally listed offices extending to approximately 13,000 sq ft and no.13 surface car parking spaces. The building has a main frontage to South Street and is situated on an 0.15 hectares (0.36 acres) corner plot. The Property is currently let by the Council in its entirety to a single tenant for use as a resource centre who in turn sub-lets to a number of charity and community organisations. The Property has been marketed as 'a going concern' and is therefore to be sold with the existing tenant in-situ under their existed Landlord & Tenant 1954 Act protected tenancy.
- 3.1.2 The property was successfully nominated as an Asset of Community Value (ACV) in January 2023. ACV legislation essentially gives community bidders the right to bid (not the right to buy), and the Localism Act 2011 sets out the statutory process that the Council must follow when seeking to dispose of an ACV which includes extended marketing timescales to enable community groups additional time to put forward a proposal and take the necessary legal and financial advice that would be required should any community bidders trigger the moratorium period by registering as a potential bidder.
- 3.1.3 The Council confirms that two groups registered as potential community bidders under the ACV Listing, and the Council has therefore followed the statutory process with regards to the marketing campaign and timescales to advertise the property's freehold interest for sale as set out within the Localism Act 2011. Marketing agents, SHW were instructed to act on behalf of the Council, and a marketing campaign undertaken inviting offers from both community groups and the wider market.
- 3.1.4 Following the advertised bid deadline of 31<sup>st</sup> July 2023, offers were received and Part 2 of this report provides further details of the offers received and the recommended preferred party for the Council to enter into Heads of Terms with. However, the Council can confirm that although two parties registered as potential community bidders thereby triggering the moratorium period, no community offers have been received.
- 3.1.5 Further details of the marketing campaign, professional advice received, and commercial terms recommended for the freehold disposal are commercially sensitive and therefore included within Part 2 of this report.

#### 3.2 **Beckenham Public Halls, Bromley Road, Beckenham BR3 5JE**

- 3.2.1 The Executive Committee resolved to dispose of the freehold interest in 'the Property' known as 'Beckenham Public Halls, Bromley Road, Beckenham BR3 5JE' in November 2022. The property comprises a Grade II listed building with an approximate total floor area of 9,315 sq ft.
- 3.2.2 The majority of the Property is currently let to MyTime Active paying a peppercorn rent who operate the building and offer spaces for hire for a variety of uses such as conferences, performances and private functions. Part of the ground floor and basement is let separately for use as a private members club on a commercial lease. Both tenancies are let on an internal repairing basis with the vast majority of external works being the Council's responsibility, which for a listed property of its type and age presents ongoing and increasing maintenance liability.
- 3.2.3 Given the public access to the part of the building currently occupied by Mytime Active, two previous marketing campaigns have been undertaken seeking a long-term tenant for the site

,able to undertake the backlog and ongoing maintenance required at the site, whilst continuing to deliver community uses from the site. Unfortunately, neither marketing campaign was able to secure such a tenant, with feedback from potentially interested parties confirming that such organisations could not find a viable solution to deliver on all these objectives.

- 3.2.4 Therefore, marketing agents SHW were instructed April of this year, with the marketing campaign inviting offers for the freehold interest in the site on an unconditional basis going live in May 2023. Although all offers have been invited, the marketing message has stated clearly that bidders seeking to deliver continued community uses for the property would be favourable.
- 3.2.5 Bids were received following a bid deadline being set for 17<sup>th</sup> August 2023 for the freehold interest in the site.
- 3.2.6 Details of the marketing campaign, professional advice received, and commercial terms recommended for the freehold disposal are commercially sensitive and therefore included within Part 2 of this report. However, the Council can confirm that all offers received are seeking to continue to deliver community uses from the property.

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

- 4.1 There is not considered to be an impact on Vulnerable Adults and Children as a consequence of this decision.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 The proposed disposals of the Council's freehold interests would result in capital receipts payable to the Council. Further details are set out in Part 2.

#### **6. LEGAL IMPLICATIONS**

##### **Property Disposals - Local Authority Powers**

The following provisions should be considered in respect of the proposed disposals of the Community House and Beckenham Halls Disposals

- 6.1 s.111 Local Government Act 1972
  - 6.1.1 The Council has power to do anything calculated to facilitate or is conducive or incidental to the discharge of any of its functions.
  - 6.1.2 The intended proposal to dispose in this report would be affected pursuant to that statutory power as well as pursuant to the Localism Act 2011, the General Power of Competence.
- 6.2 Section 123 of The Local Government Act 1972
  - 6.2.1 If the intended proposal to dispose were to proceed, Local authorities have the power under s.123 of the Local Government Act 1972 to dispose of land for the best consideration that can reasonably be obtained (usually based on open market value).
  - 6.2.2 s.123 of the Local Government Act 1972 confers power to the Secretary of State to give general consent for the purposes of land disposals by local authorities carried out under their powers in Part 7 of the 1972 Act.
  - 6.2.3 The Local Government Act 1972, General Disposal Consent 2003 removes the requirement for authorities to seek specific consent from the Secretary of State for any disposal of land

where the local authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the well-being criteria in the Local Government Act 2000:

- a) the promotion or improvement of economic well-being;
- b) the promotion or improvement of social well-being;
- c) the promotion or improvement of environmental well-being; and the “undervalue” (i.e. the difference between the unrestricted value of the interest to be disposed of and the consideration accepted) is £2,000,000 or less.

6.2.4 Applications for specific consent should be sent to the Secretary of State and include the following information:

- a) Written description of the land and buildings, the location;
- b) Written description of how the land is currently held by the Council;
- c) Details of any leases, encumbrances such as easements;
- d) Summary of the proposed disposal/transaction.

### 6.3 Disposal of Land considered as Open Space

If there is any open space within the demise of any proposed disposal Section 123 (2A) will come into play and this states that any disposal of land considered as open space (any land, enclosed or not, on which there are no buildings, and the whole of the remainder of which is laid out as a garden or is used for recreation purposes or lies waste and unoccupied) requires the local authority to give notice of its intention to dispose of the land for two consecutive weeks in a newspaper circulating in the area in which the land is situated, and they must consider any objections to the proposed disposal which may be made to them.

## 7. PROCUREMENT IMPLICATIONS

- 7.1 The Public Contracts Regulations 2015 set out several exemptions to the relevant procurement regulations. In this case, Clause 10 (1) (a) applies in which the regulations do not apply to ‘acquisition...of land, existing buildings...or which concern interests in or rights over any of them’.
- 7.2 Therefore, it is presumed that there are no procurement implications relevant to this report, subject to legal advice that the process for marketing and disposal is in compliance with the exemptions within the Regulations.

## 8. PROPERTY SURVEYORS COMMENTS

8.1 Detailed in Part 2 report.

<b>Non-Applicable Sections:</b>	HR and Procurement
Background Documents: (Access via Contact Officer)	Policy Implications, Personnel Implications



Report No.  
ACH23-033

## London Borough of Bromley

PART 1

PUBLIC

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**Decision Maker:** **EXECUTIVE**  
**FOR PRE-DECISION SCRUTINY FROM ADULT, CARE & HEALTH POLICY**  
**DEVELOPMENT AND SCRUTINY COMMITTEE ON 5<sup>TH</sup> SEPTEMBER 2023**

**Date:** 20<sup>th</sup> September 2023

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

**Title:** **CONTRACT AWARD: BROMLEY SUBSTANCE MISUSE**  
**PROVIDER SERVICE (SMPS)**

**Contact Officer:** Mimi Morris-Cotterill, Assistant Director of Public Health  
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Finola O'Driscoll, Senior Strategist, Public Health  
Tel: 0208 461 7772 Email: finola.odriscoll@bromley.gov.uk

**Chief Officer:** Dr Nada Lemic, Director of Public Health

**Ward:** All

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## 1. REASON FOR REPORT

- 1.1 The Executive agreed on 30<sup>th</sup> November 2022 (Report ACH22-037) to proceed to procurement for the Bromley Substance Misuse Provider Service. This report details the outcome of the tender process and recommends contract award.

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## 2. RECOMMENDATION(S)

- 2.1 Adult Care and Health PDS is asked to note and comment on the contents of the report.
- 2.2 Executive is recommended to:
- 2.2.1 Approve award of contract for the Bromley Substance Misuse Service to the Service Provider named in the Part Two Report, commencing 1st April 2024 for five years with an option to extend for up to a further three years at an estimated contract value as detailed in the Part Two report.

- 2.2.2 Approved delegated authority to the Chief Officer, subject to agreement with the Portfolio Holder, the Assistant Director Governance & Contracts, the Director of Finance and Director of Corporate Services, to apply the three year extension in due course.
- 2.2.3 Approved delegated authority to the Chief Officer, subject to agreement with the Portfolio Holder and the Director of Finance, to draw down expected Supplemental Substance Misuse Treatment and Recovery (SSMTR) Grants and future potential Substance Misuse grants that may be allocated by the Office for Health Improvements and Disparities (OHID) during the life of the contract.
- 2.2.4 Approved delegated authority to the Chief Officer, subject to agreement with the Portfolio Holder, the Assistant Director Governance & Contracts, the Director of Finance and Director of Corporate Services, to vary the Substance Misuse Provider Service contract as required to incorporate additional requirements linked to the allocation of the SSMTR grant and other future Substance Misuse grants that may be allocated.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Public Health Programmes protect and build resilience of young people and vulnerable adults.
- 

## Transformation Policy

1. Policy Status: Existing Policy
  2. Making Bromley Even Better Priority (delete as appropriate):
    - (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.
    - (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: Please refer to the Part 2 report
  2. Ongoing costs: Recurring Cost: Please refer to the Part 2 report
  3. Budget head/performance centre: Public Health Grant
  4. Total current budget for this head: £1,983k
  5. Source of funding: Public Health Grant
- 

## Personnel

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

## Legal

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

## Procurement

1. Summary of Procurement Implications: The tender was undertaken in accordance with the Public Contract Regulations 2015.
- 

## Property

1. Summary of Property Implications: N/A
- 

## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: The Provider is committed to Bromley's Net Zero Action Plan and has developed an organisational social value action plan.
- 

## Customer Impact

1. Estimated number of users or customers (current and projected): Borough-wide
- 

#### 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 The London Borough of Bromley has a statutory duty to improve the health of the population and to provide local public health services. The specific responsibilities are set out in the Health and Social Care Act 2012 and associated regulations and include a mandated requirement for local authorities to provide or make arrangements to secure the provision of substance misuse treatment services for adults and young people.
- 3.2 On 30/11/22, the Executive agreed to proceed to a competitive tender process (Report Number ACH22-037) to commission the Bromley Substance Misuse Provider Service, bringing together two separate contracts (the young people's substance misuse service called *Bromley Changes* and the adult's service called *Bromley Drug and Alcohol Service*) which were both previously supplied by the same Provider.
- 3.3 Combining the adult and young people's substance misuse services enables efficiencies and streamlines service delivery. It will ensure continuity of care and the opportunity for a strong service identity which will improve access for service users. It will also facilitate the implementation of Bromley's relationship model and whole family approach.
- 3.4 The Service will deliver a world class treatment service for young people and adults. It will include prevention, identification and engagement and the full range of treatment which will include both therapeutic and medical interventions plus aftercare to improve outcomes for service users. There will be an interface with the Criminal Justice System and links with key stakeholders. The young people's element of the service will have a focus on treatment, prevention and early intervention as well as work with schools and support for children in substance using families.
- 3.5 The contract will include responsibility for Pharmacy Needle Exchange Service, the Supervised Consumption of people receiving Opioid Medication Assisted Treatment and the budget for inpatient residential detoxification and residential rehabilitation.
- 3.6 The contract term aligns with the contract with the National 10 Year Drug Strategy with the contract term and national strategy completing contemporaneously.
- 3.7 The service will be monitored in line with the contract. Quarterly contract monitoring meetings will be held at which quarterly reports will be discussed in detail by the Commissioner and the Provider Service. Key Performance Indicators are wide ranging and are categorised according to the service areas. Individual indicators will be defined and confirmed with the Provider during mobilisation.
- 3.8 The mobilisation period will commence from contract award, October 2023 until contract start (1<sup>st</sup> April 2024).
- 3.9 An indicative value of £315,606, which is the final allocation of a 3-year grant commenced in 2021/22, has been provided by the Office for Health and Disparities (OHID) for the Supplemental Substance Misuse Treatment and Recovery (SSMTR) Grant. This will be received in the first year of the contract (2024/2025). Continuation of the grant to support delivery of the national drug strategy is not certain but it is feasible future grants for substance misuse maybe available during the life of the contract.
- 3.10 The Executive is therefore asked to delegate authority to the Chief Officer, in consultation with the Portfolio Holder following agreement from the Assistant Director Governance & Contracts, the Director of Finance and Director of Corporate Services to approve the draw down of the SSMTR grant on receipt and vary the contract linked to the allocation of the SSMTR and future grants, and any changes associated with the scope of the specification during the life of the contract. The rationale for seeking variation to the contract is to preserve continuity of care that leads to successful treatment completion, it is therefore paramount for continuity of service delivered through existing contract.

### 4. CONTRACT AWARD RECOMMENDATION

#### 4.1 Recommended Provider:

Contract Award Report Member Decision  
August 2022

The recommended Service Provider is detailed in the Part Two Report.

**4.2 Estimated Contract Value (annual and whole life):**

The total cost of the contract for the full 5 years is detailed in the Part Two report.

**4.3 Other Associated Costs:** An indicative value of £315,606, which is the final allocation of a three year grant commenced in 2021/22, has been provided by the Office for Health and Disparities for the Supplemental Substance Misuse Treatment and Recovery (SSMTR) Grant. This will be received in the first year of the contract (2024/2025).

**4.4 Proposed Contract Period:**

The contract will commence on 1<sup>st</sup> April 2024 for a period of five years until 31<sup>st</sup> March 2029 with the options to extend for a further three years until 31<sup>st</sup> March 2032.

**4.5** The procurement followed LBB procedures. The Evaluation Panel was composed of 6 individuals: 5 from LBB, and one external colleague with expertise in substance misuse. A face to face clarification interview was held with the Evaluation Panel and the recommended Service Provider prior to the agreement of the consensus score.

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

**5.1** The Provider is fully committed to supporting Bromley's Net Zero Action Plan.

**5.2** The Provider will develop a Social Value Action Plan. Key elements of the plan are detailed under the domains of supporting local employment and business, equality and diversity, health promotion and limiting energy and fuel consumption.

**5.3** Key actions include employing local staff and volunteers and providing student placements, providing free space to community groups such as Alcoholics Anonymous and Narcotics Anonymous. Healthy eating initiatives will be provided to service users and well-being activities to support staff. The Provider has set annual targets for reducing carbon emissions, promoting cycle to work and public transport schemes, ensuring estates are energy efficient and offices are paperless. All staff will undertake sustainability training.

**6. TRANSFORMATION/POLICY IMPLICATIONS**

**6.1** This service will meet the Council's Objectives within 'Making Bromley Even Better' by supporting the vision of making Bromley, 'a fantastic place to live and work where everyone can lead healthy, safe and independent lives'.

**7. IT AND GDPR CONSIDERATIONS**

**7.1** The Provider will have processes in place to collect service and service user information and upload/share anonymised individual level data to specified national data collection systems.

**6.2** Personal data must be protected in accordance with requirements of the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018. A data protection impact assessment (DPIA) will be completed.

**6.3** As part of the Council's on-going commitment to sustaining a progressive approach to data protection and information management, the following will be evidenced:

- Privacy by design – the DPIA will be undertaken and LBB will manage all residual risk

- The Council will ensure that the contract and information sharing agreements have robust clauses relating to data management
- The Council will ensure that there is an appropriate exit strategy in relation to information retention requirements and transfer with the incumbent provider where necessary.

## **8. STRATEGIC PROPERTY CONSIDERATIONS**

8.1 There are no implications for LBB estates or property.

## **9. PROCUREMENT CONSIDERATIONS**

9.1 This report seeks to award a contract for the provision of the Bromley Substance Misuse Service to the Provider detailed in the Part 2 Report. The Contract will commence on 1<sup>st</sup> April 2024 for a period of five (5) years expiring on 31<sup>st</sup> March 2029, with the option to extend for a further period of up to three (3) years until 31<sup>st</sup> March 2032. The estimated annual and whole life values of the Service are detailed in the Part 2 Report.

9.2 This is a Service contract and is covered by Schedule 2 of the Public Contract Regulations 2015, and thus the procurement was undertaken in accordance with the 'Light Touch Regime' (LTR) of these Regulations. A summary of the consensus scores against the quality criteria are set out in Section 4.6 of the Part 2 Report.

9.3 An Open tender process was carried out in line with the requirements of the Public Contract Regulations 2015, and the Council's Contract Procedure rule 8.2.1.

9.4 The requirements for authorising an award of contract are covered in Contract Procedure Rule 16. For a Contract of the value set out in the Part 2 Report, the Approval of Executive, following Agreement by the Portfolio Holder, Chief Officer, the Assistant Director Governance & Contracts, the Director of Finance and the Director of Corporate Services.

9.5 In accordance with Contract Procedure Rule 2.1.2, Officers must take all necessary professional advice.

9.6 Following the decision, a Find A Tender Notice will be issued, and as the Contract value is over £30,000, an Award Notice will be published on Contracts Finder.

9.7 A statutory Standstill Period will be observed in accordance with the Public Contract Regulations 2015.

9.8 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 current content.

## **10. FINANCIAL CONSIDERATIONS**

10.1 Please refer to the Part Two report.

## **11. PERSONNEL CONSIDERATIONS**

11.1 There are no personnel implications arising from this report, for any employees of the London Borough of Bromley.

## **12. LEGAL CONSIDERATIONS**

12.1 This report seeks approval to;

- i) Award a contract for the Bromley Substance Misuse Service to the Service Provider named in the Part Two of the report, commencing 1<sup>st</sup> April 2024 for five years with an option to extend for up to a further three years at an estimated contract value as detailed in the Part Two report.
- ii) Delegate authority to the Chief Officer in consultation with the Portfolio Holder following agreement from the Assistant Director Governance & Contracts, the Director of Finance and Director of Corporate Services to agree the extension period and to authorise any variation to the scope of the contract.
- iii) Delegate authority to Chief Officer in consultation with the Portfolio Holder following Agreement by the Assistant Director Governance and Contracts, Director of Finance and Director of Corporate Services to approve variations to the contract with regard to the Supplemental Substance Misuse Treatment and Recovery Grants which will be received from the Office for Health Improvements and Disparities (OHID) during the life of the contract.

12.2 The authority to proceed to procurement is set out in report number (Report ACH22-037). The London Borough of Bromley has a statutory duty to improve the health of the population and to provide local public health services as set out in the Health and Social Care Act 2012 and associated regulations. The duty includes a requirement for local authorities to provide or make arrangements to secure the provision of substance misuse treatment services for adults and young people.

12.3 This is a Service contract and is covered by Schedule 2 of the Public Contract Regulations 2015. Procurement colleagues have confirmed within this report that the procurement was undertaken in accordance with the 'Light Touch Regime' (LTR) of these Regulations and the Council's Contract Procedure rule 8.2.1.

12.4 The requirements for authorising an award of contract are covered in Contract Procedure Rule 16. For a Contract of the value set out in the Part 2 Report, the Approval of Executive, following Agreement by the Portfolio Holder, Chief Officer, the Assistant Director Governance & Contracts, the Director of Finance and the Director of Corporate Services.

<b>Non-Applicable Headings:</b>	8 Strategic Property Considerations, 11 Personnel Considerations
Background Documents: (Access via Contact Officer)	Report ACH22-037 (30/11/22)



Report No.  
ACH23-025

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** **EXECUTIVE**  
For pre decision scrutiny by the Adult Care and Health Policy Development and Scrutiny Committee on 27 June 2023

**Date:** **20 September 2023**

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

**Title:** **CARERS PLAN 2023-2025**

**Contact Officer:** Sean Rafferty, Assistant Director for Integrated Commissioning  
E-mail: sean.rafferty@bromley.gov.uk

**Chief Officer:** Kim Carey, Director for Adult Social Care

**Ward:** All

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#### 1. Reason for decision/report and options

- 1.1 A carer is a person of any age who provides unpaid care and support to a family member, friend or neighbour who is disabled, has an illness or long-term condition, or who needs extra help as they grow older. Carers hold families and communities together, enable those they care for to get the most out of life, and make an enormous contribution to community life in Bromley.
  - 1.2 Alongside the Council's social care and SEND services and local NHS services carers play a vital role in supporting vulnerable residents.
  - 1.3 The Council has developed a Carers Plan with the South-East London Integrated Care Board (Bromley) that sets out what advice, guidance and support is available to unpaid carers in the borough and how this offer to carers will be developed further over the next two years.
- 

#### 2. **RECOMMENDATION(S)**

- 2.1 The Adult Care and Health Policy Development and Scrutiny Committee are asked to note the report and comment on the key priorities identified within the Carers Plan.
- 2.2 The Executive are asked to approve the proposed Carers Plan

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Support arrangements to unpaid carers and young carers
- 

## Transformation Policy

1. Policy Status: New Policy:
  2. Making Bromley Even Better Priority (delete as appropriate):
    - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
    - (3) 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
    - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- :
- 

## Financial

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

## 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): There are c.25,000 unpaid carers in Bromley with c.9000 registered with their GP and c.4,000 registered with the Bromley Well Service

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### Ward Councillor Views

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

### 3. COMMENTARY

3.1 A carer is a person of any age who provides unpaid care and support to a family member, friend or neighbour who is disabled, has an illness or long-term condition, or who needs extra help as they grow older. Carers hold families and communities together, enable those they care for to get the most out of life, and make an enormous contribution to community life in Bromley.

3.2 Alongside the Council's adult and children's social care and SEND services and local NHS services carers play a vital role in supporting vulnerable residents.

3.3 The Council has developed a Carers Plan with the South-East London Integrated Care Board (Bromley) that sets out what advice, guidance and support is available to unpaid carers in the borough and how this offer to carers will be developed further over the next two years.

3.4 The proposed plan has been developed across the Council and SELICB (Bromley) and with Bromley Well who deliver on behalf of the Council and SELICB (Bromley) a Carers Support Service. The plan and its priorities have been informed through a series of engagement and co-production events with carers.

3.5 The proposed objectives to the Plan are:

- Priority 1: Identifying, recognising and involving carers – arrangements to ensure that care and health professionals are better able to identify carers and to involve carers in the development of the care and health services that affect them and those they care for.
- Priority 2: Making clear routes to information, advice, guidance and support – making it easier for professionals to signpost carers who need additional help to the right place and making it easier for carers to access information, advice, guidance and support
- Priority 3: Supporting carers' physical health and wellbeing – helping carers access support to maintain their good health and wellbeing
- Priority 4: Supporting carers to have a life alongside their caring role – local arrangements for carers to access respite and short breaks support; access to social groups and access to employment and education
- Priority 5: Supporting young carers and young adult carers – arrangements that target support to young people.
- Priority 6: Developing a Carers' Charter – involving a larger number of Bromley local agencies in recognizing carers

3.6 The Plan was developed using a range of sources to compile a comprehensive evidence base to inform the objectives and actions. These sources include:

- i. An understanding of service carer needs now and in the future
- ii. Carers' feedback – review of carer surveys and other customer feedback information received in recent years with a series of carers events held over March and April 2023 to inform the development of the plan
- iii. Performance analysis – understanding our past performance, where we need to improve and where we need to sustain performance and how we need to be ready for regulatory assurance where relevant

- iv. Identifying opportunities and best practice– looking at how working differently, and working with partners and with new technologies can change how we commission and deliver services and create value for money
- v. Cross referencing has been made with the Making Bromley Even Better 2021 to 2031 and existing current and relevant Council strategies, e.g. Tackling Loneliness Strategy 2022 - 2026. The Plan is informed by the South-East London Integrated Care Service Strategy
- vi. An analysis of current government direction on social care reform – Although the government’s adult social care white paper proposals published in 2021 have been postponed they do point the way forward to future legislative change and guidance for carers.

3.7 The complete Carers Plan is attached as an appendix to this report.

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

The Plan has a specific focus on vulnerable adults and their carers and those that provide unpaid care for them

#### **5. TRANSFORMATION/POLICY IMPLICATIONS**

The strategy has been informed by the Adult Social Care Service and Children, Education and Families Service Transformation Programme

#### **6. STAKEHOLDER ENGAGEMENT**

A survey and workshops involving over 100 Bromley cares including young carers help shape the priorities and action in the Plan. Key messages from this engagement are summarised in the Plan.

#### **7. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from this report. Any financial implications arising from the implementation of the various actions contained within the strategy will be reported to the PDS Committee separately.

#### **8. PERSONNEL IMPLICATIONS**

There are no personnel implications arising directly from this report. Any personnel implications arising from the implementation of the various actions contained within the strategy will be reported to the PDS Committee separately.

#### **9. LEGAL IMPLICATIONS**

There are no legal implications arising directly from this report. Any legal implications arising from the implementation of the various actions contained within the strategy will be reported to the PDS Committee separately.

#### **10. PROCUREMENT IMPLICATIONS**

There are no procurement implications arising directly from this report. Any procurement implications arising from the implementation of the various actions contained within the strategy will be reported to the PDS Committee separately.

#### **11. PROPERTY IMPLICATIONS**

There are no property implications arising directly from this report. Any property implications arising from the implementation of the various actions contained within the plan will be reported to the PDS Committee separately.

**12. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS**

There are no carbon reduction/social value implications arising directly from this report. Any implications arising from the implementation of the various actions contained within the strategy will be reported to the PDS Committee separately.

**12 CUSTOMER IMPACT**

It is estimated that there are over c.25,000 carers living in Bromley with c.9,000 registered with their GP and c.4,000 known to the Bromley Well Carers Support Service. Any implications arising from the implementation of the various actions contained within the strategy will be reported to the PDS Committee separately.

<b>Non-Applicable Headings:</b>	FINANCIAL IMPLICATIONS, PERSONNEL IMPLICATIONS, PROCUREMENT IMPLICATIONS, PROPERTY IMPLICATIONS, CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS, CUSTOMER IMPACT, WARD COUNCILLOR VIEWS
Background Documents: (Access via Contact Officer)	N/A

# CARERS PLAN

## Introduction

Carers hold families and communities together, enable those they care for to get the most out of life, and make an enormous contribution to community life in Bromley.

Our vision for unpaid carers in Bromley is that:

- carers will be respected as expert care givers and will be supported to have access to the advice and services they need to support them in their caring role
- carers will be supported to stay mentally and physically well
- carers will be able to have a life of their own alongside their caring role
- children and young people will be protected from inappropriate caring and have the support they need to learn, develop and thrive, to enjoy positive childhoods

## Who is a Carer?

A carer is a person of any age who provides unpaid care and support to a family member, friend or neighbour who is disabled, has an illness or long-term condition, or who needs extra help as they grow older.

Carers hold families and communities together, enable those they care for to get the most out of life, and make an enormous contribution to community life in Bromley.

Being a carer is not always easy – juggling care with work and family life, sometimes struggling financially and sometimes having poor health themselves.

Most carers in Bromley are aged over 50 and will most often be caring for an ageing and frail parent or partner.

Young carers and young adult carers will be young people aged up to 25 and will most often have a caring role for another member of their family which could be a brother, sister or parent.

## The impact of caring on carers

Looking after someone is a rewarding experience for many people. But it can also be at times tough and lonely. Being a carer can impact on people's lives in several ways:

- Caring comes with additional costs that can have an impact on carers' finances and some carers will suffer financial hardship.
- Many carers are unemployed
- Caring can have an impact on a carer's health and wellbeing
- Carers can find it difficult to juggle work, learning and leisure time with their role as a carer
- Young carers can be at risk of missing school and friendships and may have poor childhood outcomes

## Help for carers

The Council, Bromley NHS services and local voluntary and community organisations want to help all carers who live in Bromley, or who care for a Bromley resident, by giving expert information and guidance, supporting carers' rights and supporting carers in finding ways to manage at home, at work, or wherever they are.

This Carers Plan sets out the local help and support offer made to carers in Bromley and describes how over the next two years we are developing and improving our support to carers.

Our priorities to better help and support carers are:

- Priority 1: Identifying, recognising and involving carers
- Priority 2: Making clear routes to information, advice, guidance and support
- Priority 3: Supporting carers' physical health and wellbeing
- Priority 4: Supporting carers to have a life alongside their caring role
- Priority 5: Supporting young carers and young adult carers
- Priority 6: Support the development of a Carers' Charter so that more local agencies recognise and support carers

## About Carers in Bromley

The 2021 Census estimates that there are c.25,000 unpaid carers in Bromley. This is a drop in numbers from previous censuses with the most likely explanation for the change being that the census took place at the time of the Covid pandemic which caused a disruption to many previously established unpaid carer arrangements. It is also the case that many people who are carers do not recognise themselves in this role.

A useful source of information on carers is the national Survey of Adult Carers in England undertaken by NHS England. This survey looks at those adult carers who are registered with Local Authority adult social services. The results from the 2022 survey in Bromley tells us:

- 79% of carers are aged 55 and above - 69% are female and 31% male
- 49% have caring responsibilities for more than one person
- 16% have parental responsibility for someone aged 18 and below.
- 24% stated they had been caring for 20 years or more
- 19% of carers spend more than 100 hours per week in their caring role.
- Carers in Bromley are more likely to carry out practical help rather than personal care.
- 36% of carers were extremely or very happy with the support and services from social services for either the carer or the person cared for
- 71% of carers always or usually felt involved in discussions about support for the person they cared for
- 89% stated that their health had been affected by the caring responsibilities
- 9% stated their finances had been affected a lot.



In the early part of 2023 the Council undertook a series of consultation events with unpaid carers including surveys and public meetings. Over 100 Bromley carers shared their views on what was important to them and what this Carer's Plan needed to prioritise.

Those carers we spoke to were able to speak positively about many of the advice and support services available to them locally. Advice and support provided through Bromley Well and by Dementia Support Hubs, Friendship Cafes and the Young Carers App were singled out for praise. Carers recognised the support provided by Social Prescribers and social care staff.

These carers also advised on those supports that could be improved upon. These are some of the key messages from carers:

- Information, advice and guidance should be more consistent across the agencies that carers go to get their support
- GPs and other health workers are often seen as the first source of advice and could provide more information and advice and signpost carers to the best help from other agencies
- Care and health professionals could share more information with carers on the residents they are caring for
- Care and health workers undertaking assessment should learn more about the lived experience of being a carer
- Clearer information and advice is needed on what respite support is available
- Support to develop long-term and emergency plans would reduce anxiety about situations when carers may be unable to provide care.'

Young carers said:

- Help with education support should be more consistent across schools and college
- At secondary school teachers should know about their young carers' responsibilities and take this into account.

### **Access to Support for Carers**

The Council, health services and the voluntary sector in Bromley are committed to supporting carers. This includes connecting carers to local groups and activities within Bromley that support carers with:

- Advocacy
- Befriending
- Access to employment and training
- Access to welfare benefits and other financial support
- Volunteering opportunities
- Support in self-care
- Having breaks from caring

A key support service to carers in Bromley is the Bromley Well Carers Support Service that can provide a wide range of information, advice and support to all carers.

A range of services for carers can also be found on the Simply Connects website at [Simply Connect Bromley - connecting you to your local community services](#), including help and services that can directly meet the needs of the person being cared for. Further information may be found on the Council's website.

### **Social Care Support to Carers - Adult Services**

In certain circumstances additional support to carers is offered by the Council's social care services. To determine a person's eligibility for social care, the Council's Adults' Services Department uses a strengths-based approach that focuses on helping people to live as independently as possible within their community. This includes making the most of the support that a person may already have access to from family, friends and their community.

Supporting carers in this way allows them to be more in control of their own health and wellbeing, and helps them to develop their strengths and be more socially connected. This in turn can also help delay the development of further needs.

Additional support may be available to adult carers who meet the eligibility criteria outlined in the Care Act 2014, depending on the individual's strengths and needs. Information about how to access a carer's assessment and eligibility under the Care Act is also available on Council's website at [www.bromley.gov.uk](http://www.bromley.gov.uk).

## **Our priorities for Carers:**

### **Priority 1: Identifying, recognising and involving carers**

Voluntary and community organisations, GP practices, community nurses, social care workers and teachers are often the first point of contact for carers seeking help and advice. Of the estimated 25,000 unpaid carers in Bromley local GP practices are aware of c.9,000. A carers' register held by Bromley Well has details of c.4,000 carers.

Many residents will not see themselves as an unpaid carer. Instead they see themselves as a relative, friend or neighbour who is simply helping out. This means that many Bromley carers are not aware of the support that is available to them. We want to ensure that carers are supported to access information, advice, guidance and support as early as possible to make informed decisions. Where a carer needs extra help we want to ensure that they know how to access this support.

Carers play such a vital role in our local care and health services. We want to make sure that they have a say in the work of local care and health services and to be able to shape the development of their services and the care and support given to those they care for.

Our key aims for identifying, recognising and involving carers:

Key aims	Actions
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We want all Bromley care and health agencies to have a clear and consistent offer of information, advice and support to carers	Led by Bromley Well we will develop a Carers Charter across local care and health partnership agencies. The Charter will set out the key principles and actions that agencies will commit to in supporting carers and to improve outcomes for carers
We want to better identify young carers	We will use the recent change made to the annual schools' census to better identify and record young carers
We want care and health workers to be able to consistently support residents with caring responsibilities, to identify themselves as carers so they can access the information, advice and support that is available.	We will work with key health, social care professionals and voluntary organisations to identify and develop suitable ways to identify and support carers
All care and health providers should signpost carers to appropriate information, advice and support.	Through the Carers Charter we will develop clear and consistent signposting for carers
When a personal assessment takes place, young carers in the household should be identified	Increased training, publicity and awareness of young carers with clear arrangements in place to ensure that young carers are identified and appropriate referrals are made
Better systems in place to ensure carers are offered appropriate advice proactively with a focus on early intervention and prevention	We will raise awareness of carers' rights, responsibilities and the ability to recognise and support carers and provide them with relevant information and advice.
We want carers with more than one caring role to be recognised and considered when planning support	Carers to be involved in planning individual care packages including families and young carer involvement.
We want to better understand the experience of carers, listen their views and involve them in developing care and health services and priorities	We will use the data captured through surveys and assessments to review and plan services. We will establish arrangements to involve carers to participate in the review and development of local care and health services We will co-opt a carer to sit on the Council's Adults Care and Health Policy Development and Scrutiny Committee
We want carers to have a better understanding of their rights and entitlements	Through the Carers Charters all agencies will use a range of methods to help carers know their rights and entitlements

## Priority 2: Clear routes to information, advice, guidance and support

If carers are to access the right information, advice, guidance and support at the right time it is vital that care and health workers and other people who come into contact with a carers are able to give advice and or signpost carers to where they can get the support they need. Similarly we need to provide clear and simple routes for carers to access the information and other support that they may need.

### Information, Advice and Guidance

The main source of information and advice to carers in Bromley is through the Bromley Well Information Advice and Guidance Service and their Carers Support Service. Any resident who is a Carer can access Bromley Well services at [Carers - Bromley Well](#) to

help support them with their caring role. This offer covers those who are mutual carers, young carers, mental health carers and adult carers.

Residents can also access Information Advice and Guidance via the LBB website [Support for carers – London Borough of Bromley](#) which detail a wide range of services that Carers can access.

Residents can access information advice and guidance on the SELICB website including how to get support, services available and resident participation in shaping services. [You searched for CARERS - South East London ICS \(selondonics.org\)](#)

### **Advocacy for Carers**

Advocacy services help residents to express their views to care and health service providers and support them to understand their rights. Advocacy for Bromley provide a range of advocacy services for Bromley Residents [Care Act Advocacy – Advocacy for Bromley](#) including Care 2014 Act advocacy and independent advocacy support.

The NHS website also provides support for residents on how to access advocacy service- [Someone to speak up for you \(advocate\) - Social care and support guide - NHS \(www.nhs.uk\)](#)

### **Extra Support to Carers - Eligibility, Carers Assessments and Carers' Plans**

#### Eligibility for Council Support

Adult carers may be eligible for additional support from the Local Authority where their needs are caused by providing necessary care for an adult and as a result their health is at risk and or they are unable to achieved specified outcomes, and as a result there is or is likely to be significant impact on the carer's wellbeing.

Access to additional support from the Council is through a carers assessment.

#### **Social Care Assessments to Adult Users of Social Care**

Where an adult, child or young person receives a local Authority social care assessment for their care and support needs the social worker undertaking this assessment will seek to identify any unpaid carers that contribute to their care and support. The support provided by any significant carer will be included in the assessment and will be included as part of any subsequent care plan.

Where a child or young person is identified as being a carer as part of an adult social care assessment, the child's needs will be taken into account as part of the Adult assessment and a referral will be made to Bromley Well to complete the independent carers assessment. Where there is a concern that as a result of the caring tasks may result in risk to the child or that child meeting the criteria for child in need a referral will be made to Children's Social Care Services to request their support and or assessment of that child or young person.

For both adult and child carers the support needs of the carer may be included as part of the Care Assessment and Plan for the cared for through a Joint Assessment, where both parties agree.

All carers are entitled to have a Carer's Assessment and will be asked if they would like to have this at the time that the person they care for is being assessed.

### **Carers Assessments**

All unpaid carers have an entitlement to a Carer's Assessment that can identify what information, advice and support they might need to sustain their caring role and their own health and wellbeing, and how they might get it. Carer's Assessments focus on the needs of the carer, and not the person they look after, including:

Depending on the carer's needs and personal finances the Council will arrange additional support for any carer either through commissioned services, Direct Payments or by referring on to other carer support services.

### **Carers' Self-assessments**

The simplest way for a resident to have a carers assessment is through carrying out a self-assessment. Anyone who cares for someone in Bromley can make a Carer's Self-assessment through our portal by accessing <https://adultsportal.bromley.gov.uk/web/portal/pages/home>.

Completing the assessment should take no longer than 15 minutes. This will be the simplest route to an assessment for most carers.

Referrals received via the portal will be screened within one working day and directed to the relevant service who will be in touch to discuss your self-assessment with you.

Bromley Well can assist carers in completing their self-assessment should they need help in doing so.

### **Financial Assessments for Carers**

The majority of support to carers within the community is free. Some commissioned services provided by the council to adult carers will be subject to a means tested financial assessment.

### **Bromley Council Support to Eligible Carers**

Where, following a Carers Assessment or as part of a service user care assessment, the Council determines a carer needs additional support the carer will be given a Support Plan setting out what this support will be and a Personal Budget to meet these needs. The support that may be offered to directly support carers can include:

- Support on contingency planning if a carer is unable to provide support for a period of time
- Help on setting up a lasting power of attorney to help manage someone's finances
- Access to sitting services, day care or other respite support that will provide support to the cared for person to allow the carers to do attend to other things or to take a break
- Help towards accessing leisure activities such as attending the gym or a club
- Help to access employment

### **Direct Payments to Buy Support and Help**

Direct payments give carers greater choice and control over the support they receive and how it is provided.

A Direct Payment is when the money is paid directly to the carer, this can be into a separate bank account, a prepaid card or through a managed account. This means carers can access the funds themselves, and make arrangements for their own support.

All carers eligible for Council funded support will be offered a Direct Payment

Services users receiving Council funded care to help them live at home can have their support made to them through a Direct Payment too. A service user can ask that their carer uses these funds to purchase care and support on their behalf.

More information on Direct Payments is available from <https://www.bromley.gov.uk/directpayments>

**Our key aims for giving carers clear routes to information, advice, guidance and support:**

<b>Key aims</b>	<b>Actions</b>
We want more residents with caring responsibilities to be aware of the information, advice and guidance available to them	In addition to existing communications to residents we will run regular campaigns targeted at carers and those who work with carers
We want to provide care assessments to more residents to ensure that where they have caring responsibilities they are able to access the support they need	We will publicise the Council's online portal to enable more residents to undertake a carer's self-assessment.
We want to support more carers to make contingency plans to help them manage for times when they are unable to provide support to the person they care for	We will provide advice, help and support to carers in drawing up their contingency plans
We want eligible carers to take greater control over their support by giving them a Direct Payment	All carers will be made aware of their entitlement to a Direct Payment at the point of agreeing any Care Plan or Carers Plan

**Priority 3: Supporting carers' physical health and wellbeing**

Carers can often put the needs of the person they care for before their own. This is why carers can be prone to poor physical and mental health. We believe it is important that carers are supported to maintain their own physical health and emotional wellbeing, to enable them to continue in their caring role.

Some carers will also need support in developing their skills as a carer in areas such as moving and handling, giving medicine and first aid.

Support to carers from Bromley Well

Through Bromley Well we can provide a range of supports to carers including:

- Training courses and workshops to build resilience and enhance caring skills
- Practical tools and techniques to manage daily life as a mental health carer

- Help navigating the support services available to carers and the people they care for
- Support with medical and professional appointments
- Help writing letters and sorting out bills
- One to one emotional support
- Help to think about and plan for the future
- Help with technology such as CareLink, a personal alarm system which helps you remain safely in your own home
- Help with internet shopping
- Information workshops on topics like mental wellbeing, keeping healthy in winter, welfare benefits, scams
- Sessions on skills like budgeting, travelling safely and first aid
- Healthy eating cookery sessions

### **Our key aims for supporting carers' physical health and wellbeing**

<b>Key aims</b>	<b>Actions</b>
We want NHS health providers and primary care teams to register carers and where needed refer them to appropriate support.	Through the Carers Charter we will increase an awareness of carers across local health services and offer practical advice and support
We want more carers to register themselves as such with their GP so they can access additional support such a priority for vaccines	Through publicity and at any assessment processes carers will be encouraged to register as a carer with their GP
We want carers to have appropriate training, advice or support, to meet their needs to enable them to continue in their caring role	Through Bromley Well and other services we will give support to carers in their caring skills
Carers would like more flexibility from NHS health providers and primary care teams when they need to book an appointment.	Through the Carers' Charter we will develop the health offer to carers
We want to improve the online information and support available to carers to help their wellbeing	The South East London Integrated Care Board will develop a digital tool to help carers access information and support

## **Priority 4: Supporting carers to have a life alongside their caring role**

Access to leisure, employment and education are a key part of having a life alongside caring. These opportunities enable carers to enjoy good physical health and emotional wellbeing and prevent social isolation.

### Taking time off from being a carer - Respite care and taking short breaks

Respite care means taking a break from caring, while the person you care for is looked after by someone else. It gives a carer some time out to look after themselves and to do other things. Respite care can range from a volunteer to sit with the person being cared for a few hours, or a short stay in a care home so a carer can go on holiday.

Options will include:

- Friends and family helping out on an occasional or regular basis



- Day care activities - where the person being cared for can attend a day centre or other venue and be looked after for a day or on a regular basis
- Sitting service - where a volunteer or paid care worker will visit the cared for persons home to look after them
- A short-stay in a care home where the cared for person will spend one or more days and nights to allow a carer a longer break
- Home care – where a paid care worker visits the cared for persons home. It might be regular, e.g. one day a week to give a carer a day off or for a short period, such as a week, so a carer can take a holiday

Depending on the circumstances of a carer and or the person being cared for the Council can make arrangements to pay for and or arrange respite care.

### Education, training and employment

Bromley Adult Education College (BAEC) delivers adult and community learning on behalf of the London Borough of Bromley and offers a range of courses for carers, from gentle exercise to cookery, arts and crafts, computing, clothes making and well-being techniques. Contact them for details of forthcoming courses.. Price: courses are free for eligible learners.- Simply Connect Bromley - Adult Education Courses for Carers and Older People in Bromley

### Access to welfare benefits,

There are a number of benefits that those who require care, or provide care can access. Attendance Allowance helps with extra costs if you have a disability severe enough that you need someone to help look after you. [Attendance Allowance: Overview - GOV.UK \(www.gov.uk\)](#) Personal Independence Payment (PIP) is extra money to help you with everyday life if you've an illness, disability or mental health condition. You can get it on top of Employment and Support Allowance or other benefits. Your income, savings, and whether you're working or not don't affect your eligibility Bromley Well provide support to maximise AA and PIP entitlements if required.

### **Carers and Loneliness**

In the national 2021/22 Survey of Adult Carers in England 17% of Bromley carers stated they feel socially isolated which reflects the quantity of relationships an individual has.

The Bromley Tackling Loneliness Strategy 2022-2026 recognises that loneliness can affect all people at all ages and stages of their lives. It aims to develop a culture in Bromley where loneliness is recognised as a subjective feeling of lack or loss of companionship and is acted on without stigma or shame.

The Strategy aims to prevent or reduce loneliness for all residents and to bring together partners in the statutory, independent, and voluntary sectors to deliver on the priorities of the strategy. Communities play an active role in connecting people and building resilience by creating opportunities to bring people together, taking active steps to include the most isolated and vulnerable members of the community, as well as those from different backgrounds.



Some of the key actions are: to make it easier to access information about local community groups, activities and support services through a central database; enable staff and volunteers across Bromley to understand loneliness and have the right information and advice to help individuals; maximise the power of digital tools; encourage grassroots opportunities to strengthen local social relationships and community ties and work with our partners in libraries, sports and leisure amongst others to enhance existing support.

### **Our key aims for supporting carers to have a life alongside their caring role**

<b>Key aims</b>	<b>Actions</b>
We want to help carers access the support available to residents through the Bromley Tackling Loneliness Strategy	One of the focuses of the Tackling Loneliness Strategy Action Plan for 2023/24 will be supporting carers of all ages to engage with their communities.
We want to give a wider choice of respite options for those who care for adults with a learning disability	The Council's Learning Disabilities and Short Breaks Strategy is increasing the range of options available to carers
We want to increase day care activity respite opportunities for those who care for older people	We will work with voluntary, community and faith organisations to increase the availability of day activities

## **Priority 5: Supporting young carers and young adult carers**

We want to do more for young carers to ensure that outcomes for these young people are the same as their peers.

The Current offer for young carers in Bromley is:

### **Children and Family hub, children's services**

Through the Council's Children and Family Hub we undertake Children and Families assessment for referrals for children and young people who are young carers. The children and family's assessment will then assess and consider the young carers needs. Based on the outcome of the assessment, we will consider whether we refer onto our Early Intervention Service, identifying them a child in need, or if we have any child protection concerns. Regardless of the outcome of the assessment our social workers will always refer onto Bromley Well if the child or young person is not yet known to them, to ensure they had the access to additional help.

### **0-25 service**

The Council's 0-25 Service works with and supports children, young people and their families where there is a child with a severe or profound disability. A role of this service is considering other young family members and assessing their caring role and the impact on their everyday life of having a family member with a disability.

We offer a care package which not only supports the child or young person with a disability and their parents in their caring role, but will assess how any other young

family members can have quality time with their parents, a break that is about them and the opportunity to spend time with friends.

In some circumstances the young carer might have a caring role for their parents. We will assess if there are safeguarding issues, assessing their ability to be a child, and not taking on inappropriate roles, that have a significant impact on their childhood.

A Specialist Information Officer offers advice on clubs and activities that might be appropriate for young carers

### **The Bromley Well Young Carers Service**

The Bromley Well Young Carers service provides support for young carers in Bromley aged 4 and onwards.

Support for young carers, includes:

- A Young Carers App - designed by young carers to meet their needs. A safe, secure, online space dedicated to young carers in Bromley where young carers can engage and support with their peers, track their wellbeing, get helpful information and book events and activities
- Opportunities to meet with other young carers, have fun, discuss any worries and try out new activities and to have some time away from caring responsibilities
- Emotional support to discuss your caring role and any worries or questions you may have about your cared for, or your caring responsibilities
- Counselling support by professionals
- Workshops to help develop practical life skills e.g. first aid, budgeting, cookery
- Workshops to help you think about emotional wellbeing and developing strategies for managing emotions
- Leisure and social activities including outings and special events (such as theatre, bowling, sporting events)
- A quarterly Young Carers Forum to share ideas and discuss ways to improve and develop the services
- Support for transition / changes in your life e.g., moving to secondary school, changes in caring roles, preparing for adulthood
- Engagement with schools to set up their own Young Carers support groups and advocacy for young carers

Bromley Well also have access to Carers Trust grants which can support young carers independence.

### **Our key aims for supporting young carers and young adult carers**

<b>Key aims</b>	<b>Actions</b>
We want to have a better understanding of young carers and their needs	The Council will undertake a forensic look at the data we hold on young carers to develop targeted services and appropriate care and support pathways
We want staff in the Council's Children, Education and Families Service to have a	Stronger joint working and communication arrangements will be made between the

greater awareness of young carers and their needs	Council's Children, Education and Families Services and Bromley Well
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## Priority 6: Developing a Carers' Charter

We want to make further improvement to the support given to carers beyond the support and actions outlines in this Plan. In doing so we also want to involve more care and health services and other agencies in developing a clear offer of support to Bromley carers. To achieve this we will support the creation of a Carers' Charter.

Led by Bromley Well local organisations are being asked to develop and sign up to a charter that:

- Provides a statement of principles and definition of unpaid carers/caring role
- Set out a commitment to carers and expectations of what services Carers can expect
- Offers a common approach to how carers are engaged, supported and consulted

### Our key aims for developing a Carers' Charter

Key aims	Actions
We local agencies to work together to develop a comprehensive support offer to Bromley carers	Bromley Well will work with agencies across Bromley to develop a Carers' Charter.
We want to ensure that arrangements for carers are regularly updated and communicated	We will review this strategy once the Carers' Charter has been launched

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Report No.  
ACH23-012

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** **EXECUTIVE**  
For pre decision scrutiny by the Adult Care and Health Policy Development Committee on 5 September 2023

**Date:** **20 September 2023**

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

**Title:** **Adult Social Care Strategy 2023 to 2028**

**Contact Officer:** Sean Rafferty, Assistant Director for Integrated Commissioning  
E-mail: sean.rafferty@bromley.gov.uk

**Chief Officer:** Kim Carey, Director for Adult Social Care

**Ward:** All

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1. Reason for decision/report and options

1.1 The Council has developed a new adult social care strategy for the period 2023 to 2028 to take account of developments across the social care market, changing government policy and wider technological, demographic and economic changes. The strategy considers the key challenges of increased service demand and rising costs pressures in relation supporting vulnerable older residents and working age adults with a disability and or a long-term health condition.

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2. **RECOMMENDATION(S)**

2.1 The Adult Care and Health Policy Development and Scrutiny Committee are asked to note the report and comment on the key priorities identified within the strategy.

2.2 The Executive are asked to approve the proposed Adult Social Care Strategy 2023 to 2028

## Impact on Vulnerable Adults and Children

1. Summary of Impact:
- 

## Transformation Policy

1. Policy Status: New Policy:
  2. Making Bromley Even Better Priority (delete as appropriate):
    - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
    - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
  - :
- 

## Financial

1. Cost of proposal: N/A
  2. Ongoing costs: N/A
  3. Budget head/performance centre:
  4. Total current budget for this head: £79,216,000
  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:
  2. Call-in: Not Applicable:
- 

## 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):
- 

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable

2. Summary of Ward Councillors comments:

### 3. COMMENTARY

3.1 The Council's current strategy for its adult social care services is set out in the Transforming Bromley Roadmap 2019 to 2023 and describes what work the Adults Social Care Service and other Council departments have been undertaking to address challenges and opportunities across adult social care services. This strategy will come to an end in this year and a new strategy has been prepared to replace it.

3.2 This new Adult Social Care Strategy sets out what the Council plans to do over the next five years to respond to demand and cost pressures in the borough, and provide, commission and facilitate good quality and safe care and support to residents, services users and carers. The strategy has therefore been developed with the following strategic objectives:

- a) **Keeping you safe** – arrangements for safeguarding residents and carers who might be vulnerable and/or use care and support services
- b) **Planning and Delivering our services with residents and carers** – Residents, those that use social care services and those that care for others can expect to have a say in, and have the opportunity to get involved with, how we plan and deliver our services.
- c) **Supporting families and communities to stay independent through preventative support and early help** - Our communities are the greatest asset we have. It is the relationships – between family and friends, between the cared for and the carer, within local neighbourhoods, and between businesses, employees, and customers - that can have the most positive impact on people's lives.
- d) **Your care, your way – Personalisation, Choice and Control** - Residents who use social care services want to be independent and make their own choices and decisions about what happens in their lives.
- e) **The best place to live – Help to stay at home or the best possible alternative** - People need a home which is safe, warm and accessible, but also one which is connected to the people they care about and their local community. Many people, if they have become frail or have had a stay in hospital, will need extra support to stay living in their own home; Some people will need special housing to continue living in the community; Very vulnerable residents may need to live in a care home.
- f) **Working in Partnership with NHS services – care and health integration** - Through the One Bromley local care partnership we will work collaboratively with NHS and other health and care services, joining up and or integrating our services where this gives the best outcomes to residents
- g) **Supporting all care and health services in Bromley to be the best – working in partnership and shaping the local care and health market** - Our residents' health and care is supported by a wide range of national and local organisations. We will collaborate with local care providers and shape the market and local workforce to sustainably provide services that meet local needs.
- h) **Managing our resources well – providing value for money through efficient and effective care and health services** - Growing demand for care and support at a time of reduced public resources means that to achieve our priorities, we will need to maintain a focus on efficiency, outcomes of services and prudent management of our finances.



3.3 The new strategy was developed using a range of sources to compile a comprehensive evidence base to inform the objectives and actions. These sources include:

- i. An understanding of service users and carer needs now and in the future – demographic growth tells us we need to prepare to support more residents in the future
- ii. Service user and carers' feedback – review of user surveys, consultations and other customer feedback information received in recent years
- iii. Performance analysis – understanding our past performance, where we need to improve and where we need to sustain performance and how we need to be ready for regulatory assurance from the Care Quality Commission
- iv. Identifying opportunities and best practice– looking at how working differently, and working with partners and with new technologies can change how we commission and deliver services and create value for money
- v. Cross referencing has been made with the Making Bromley Even Better 2021 to 2031 and existing current and relevant Council strategies, e.g. Tackling Loneliness Strategy 2022 - 2026. The strategy is aligned with the Bromley Local Care Partnership 5-Year Strategy and South East London Integrated Care Service Strategy. Alignment is also made with the emerging Bromley Health and Wellbeing Strategy
- vi. Consultation across the One Bromley care and health partnership organisations
- vii. Consultation with Adult Social Care Department staff
- viii. An analysis of current government direction on social care reform – Although the government social care white paper proposals published in 2021 have been postponed, they do point the way forward to future legislative change

3.4 The complete strategy is attached as an appendix to this report.

## **4. CONSULTATION WITH STAKEHOLDERS**

4.1 The strategy has drawn upon a wide range of historic and recent consultations, co-productions and feedback from service users, carers, social care staff, care and health partner agencies and other stakeholders to set out service priorities and actions for the next five years. A consultation draft of the strategy, shared with the Adult Care and Health Policy Development and Scrutiny Committee in March 2023, was used to gauge stakeholder feedback during May, June and July. In response to this engagement a series of edits have been made to the consultation draft with the following key additions made to the document:

- 4.1.1 The word 'co-production' is used to describe more accurately the way in which service users and carers are involved in having a say in their care and support and how the Council develops its adult care services;
- 4.1.2 Reference is made to work on more clearly and simply communicating what care and support is available to residents and carers and how this care and support can be accessed;
- 4.1.3 Reference is made to work on increasing options and choice for care and support;
- 4.1.4 Specific mention is made of working in partnership with the Oxleas NHS Trust on mental health services ;

- 4.1.5 Greater emphasis has been made of the role of the voluntary and community sector in the provision of care and health services;
- 4.1.6 The phrase 'adults with a disability or long-term health condition' is used to cover those service users who access support but who do not regard themselves as having a disability;
- 4.1.7 Mention is made of the work to support End of Life care;
- 4.1.8 A specific reference is made to respite and short breaks support in relation to support to unpaid carers, and:
- 4.1.9 Reference is made to the relationship between this strategy and other Council and partnership care and health strategies

## **5. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

The strategy has a specific focus on vulnerable adults and their carers.

## **6. TRANSFORMATION/POLICY IMPLICATIONS**

The strategy has been informed by the Adult Social Care Service Transformation Programme and incorporates actions from the current programme

## **7. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from this report. Any financial implications arising from the implementation of the various actions contained within the strategy will be reported to the PDS Committee separately.

## **8. PERSONNEL IMPLICATIONS**

There are no personnel implications arising directly from this report. Any personnel implications arising from the implementation of the various actions contained within the strategy will be reported to the PDS Committee separately.

## **9. LEGAL IMPLICATIONS**

There are no legal implications arising directly from this report. Any legal implications arising from the implementation of the various actions contained within the strategy will be reported to the PDS Committee separately.

## **10. PROCUREMENT IMPLICATIONS**

There are no procurement implications arising directly from this report. Any procurement implications arising from the implementation of the various actions contained within the strategy will be reported to the PDS Committee separately.

## **11. PROPERTY IMPLICATIONS**

There are no property implications arising directly from this report. Any property implications arising from the implementation of the various actions contained within the plan will be reported to the PDS Committee separately.

## **12. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS**

There are no carbon reduction/social value implications arising directly from this report. Any implications arising from the implementation of the various actions contained within the strategy will be reported to the PDS Committee separately.

## 12 CUSTOMER IMPACT

There are no customer impact implications arising directly from this report. Any implications arising from the implementation of the various actions contained within the strategy will be reported to the PDS Committee separately.

<b>Non-Applicable Headings:</b>	FINANCIAL IMPLICATIONS, PERSONNEL IMPLICATIONS, PROCUREMENT IMPLICATIONS, PROPERTY IMPLICATIONS, CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS, CUSTOMER IMPACT, WARD COUNCILLOR VIEWS
Background Documents: (Access via Contact Officer)	N/A

## ADULT SOCIAL CARE STRATEGY 2023 TO 2028

### Introduction

Our vision for Bromley is set out in our strategy Making Bromley Even Better 2021-2031. We want our borough to be:

**‘A fantastic place to live and work, where everyone can lead healthy, safe and independent lives’**

We have five ambitions for the next stage of our journey. These are:

1. For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
2. For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
3. For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
4. For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
5. To manage our resources well, providing value for money, and efficient and effective services for Bromley’s residents.

We want to create an environment where individuals and communities can thrive and where people can lead healthier and more independent, self-reliant lifestyles, allowing the council to focus more on supporting the borough’s most vulnerable residents. Services are underpinned by the principles of early intervention and prevention. The council also wants Bromley to be a place where children and young people can be successful, supported into work and offered advice and signposting to self-help solutions and where everyone feels safe.

### **Bromley’s Adult Social Care Strategy – 2023 to 2028**

Bromley residents expect high quality services when they need them. Good health and wellbeing are the foundation for people’s independence and resilience, and we want to promote good health and tackle health inequalities across the borough. We need to provide accessible and effective services for adults with additional needs and give the right support to our older residents as they age. We need our social care, health, voluntary and community sector and faith sector resources to be ‘joined up’ and work collaboratively with residents to provide person-centred and personalised care.

Most of us will need to both give and receive care at some point in our lives. We all need to play a part in taking care of our own care and health and that of others through supporting our families, friends and neighbours. Many Bromley residents will buy their care and support using their own resources and it is therefore vital that people can access this care in Bromley through a market of care and health providers that gives people choice and value for money. The Council can support residents and carers through helping residents to help themselves, though supporting a thriving market of care and health provision and financing the care and support for residents with limited resources.

Residents across Bromley have helped to shape a new set of priorities for adult social care and this strategy reflects what residents have said is important to them. Our priorities were identified by looking at a range of feedback from those who use our adult care services, their families and other carers, the organisations who support them, the Council’s own social care staff, as well as local

people who don't currently use social care services. This strategy and its work will align itself with other relevant local care and health strategies and plans including the One Bromley 5-Year care and health strategy and the South East London Integrated Care Service Joint Forward Plan and the Bromley Health and Wellbeing Strategy.

Bromley Council spends around 28% of its total budget on adult care and health services. Like all councils around the country, there are significant funding challenges and the number of people needing support is set to continue to increase over the next five years. Therefore, we must do things differently.

We will only be able to deliver what people have told us to prioritise by working together with those residents who use our services, our partners and local communities and by making the best use of the resources we have.

## **Our vision ....**

***Making Bromley an even better place to live for older people, residents with a disability and/or a long-term illness and those who care for others by supporting people to live as safely, independently and healthily as possible, with the right care at the right time.***

## **Our Priorities**

### **Priority 1: Keeping you safe – safeguarding**

By ensuring that effective multi-agency arrangements are in place to respond to safeguarding risks we will ensure that adults in Bromley are safe and less likely to require statutory intervention. We will work with our care and health partners to reduce the risk of abuse or neglect to adults with care and support needs, prevent and stop abuse or neglect wherever possible.

These six Principles of Safeguarding will underpin all of our adult safeguarding work:

- Accountability - accountability and transparency in delivering safeguarding responses
- Partnership - providing local solutions through services working with communities
- Prevention - it is better to take action before harm occurs
- Proportionality - proportionate and least intrusive response appropriate to the risk presented
- Protection - support and protection for those in greatest need
- Empowerment - promoting person-led decisions and informed consent

Our priority will always be to ensure the safety and well-being of the adult.

- We will work together with partner organisations and people in our communities so that adults in Bromley can live the best lives they can with their wellbeing and rights being supported and safe from abuse and neglect.
- We will focus on the key safeguarding issues for Bromley: domestic abuse, financial abuse, self-neglect, modern day slavery, transitional care of children into adulthood, and vulnerable adults in specialist care and residential homes.
- Through safeguarding interventions, we will promote and secure wellbeing. The identification and management of risk will be an essential part of the safeguarding process. Protection from abuse and neglect is a fundamental part of people's wellbeing
- We will evaluate the experience of the Adult Safeguarding process for professionals and service users, and establish an understanding of the service user experience of safeguarding.
- We will complete two safeguarding case file audits annually to identify good practise and gaps in service delivery.

- We will safeguard adults by implementing Making Safeguarding Personal, and Strength Based Practice, to support adults in making choices and having control about how they want to live. We will ensure that safeguarding is person-centred, and outcomes focused and that we put the adult at the heart of the safeguarding enquiry, and consult them regarding what outcomes they want.
- We will arrange, where appropriate, for an independent advocate to represent and support an adult who is the subject of a safeguarding enquiry where the adult has 'substantial difficulty' in being involved in the process and where there is no other suitable person to represent and support them.
- We will maintain high compliance in all levels of adult safeguarding training.
- Our staff will have regular face-to-face supervision from skilled managers to enable them to work confidently and competently in difficult and sensitive safeguarding situations.
- We will create and maintain strong multi-agency partnerships that provide timely and effective prevention of and responses to abuse or neglect, as well as for the purposes of the early sharing of information to provide an effective targeted multi-agency intervention where there are emerging concerns.

### **Priority 2: Planning and Delivering our services with residents and carers**

Residents, those that use social care services and those that care for others expect to have a say in, and have the opportunity to get involved with and co-produce, how we plan and deliver our services. We will be accountable to residents, service users and carers.

- Listening, engaging, collaborating and co-producing – We will ensure that all that we do is informed by our listening to residents and carers and by involving residents who use services in any changes we make for them. We will regularly collect feedback information from residents and involve them in our quality assurance
- Accountability – We will be accountable to those who use our services through publishing and communicating our progress on this strategy and through forums where service users and carers can provide feedback on our services
- Diversity – We will understand resident needs and priorities and ensure fair access to care and support for all our communities

### **Priority 3: Supporting families and communities to stay independent through preventative support and early help**

Our communities are the greatest asset we have. It is the relationships – between family and friends, between the cared for and the carer, within local neighbourhoods, and between local voluntary and community organisations, businesses, employees, and customers - that can have the most positive impact on people's lives.

The underpinning ethos to our approach to care and health is one of preventative support and early help.

- Families and close support networks – We will support families and friends to help themselves and to help one another to access support they need.
- We will help residents to reduce loneliness and support lonely residents to make connections close to where they live
- Support to carers – We will increase the support available to those who care for others through better identifying carers and implementing a new service offer including more opportunities for respite and short breaks
- Help and support – We will join-up services which put relationships at the centre.
- Wider social networks – We will increase opportunities for people to get involved in their communities, promoting inclusion, and enhancing the role that family, friends and neighbours play in care and support.

- Community and Voluntary sector led support – We will support the development and sustainability of local community led organisations and local businesses that can give help and support to those that need it
- We will develop new ways to more clearly and simply communicate what care and support is available to residents and carers and how the care and support can be accessed

#### **Priority 4: Your care, your way – Personalisation, Choice and Control**

Residents who use social care services want to be independent and make their own choices and decisions about what happens in their lives.

- Information, advice and guidance – We will make sure people have easy access to the right information and advice when they need it.
- Self-service – We will support residents and carers to help themselves to care and support
- Put people at the centre of care – Care plans will be developed with residents and carers, based on their strengths and their vision of a good life, with flexible support.
- Choice and control over care and support – We will help residents choose the care and support that is right for them through direct payments and increasing and enabling a diverse choice of care and support opportunities
- Work – We will support more people with disabilities and long term health conditions who access care and support to find paid or voluntary employment
- Helping people who pay for their care – We will support people to plan for the cost of their care. This will focus on early information, transparency of costs and fairer charging.
- Moving from Children’s care services to Adults’ Services (transitions) – We will ensure young people in their transition into adulthood continue to feel supported and achieve independence and that this transition is supported across services
- Decision making by frontline staff – We will ensure collaborative and timely decision making which supports people to lead fulfilling lives.

#### **Priority 5: The best place to live – Help to stay at home or the best possible alternative**

People need a home which is safe, warm and accessible, but also one which is connected to the people they care about and their local community.

Many people, if they have become frail or have had a stay in hospital, will need extra support to stay living in their own home; Some people will need special housing to continue living in the community; Very vulnerable residents may need to live in a care home.

- Living in their own home – We will support more people to live well in their own home and community for longer.
- Digital inclusion and technology – We will promote digital inclusion and use assistive technology to enable people to live more independently in their community and stay connected to family and friends
- A home with care and support – We will increase the use of alternative accommodation schemes such as extra-care, supported housing and shared lives schemes where people can live in their own home but with care and support close by
- From hospital to home – Wherever possible residents who have been staying in hospital will be discharged to their home when they are fit to return and with the right support to sustain their independence
- Support the best possible residential and nursing home care – We will work with local residential and nursing care home providers to help them best meet the needs and aspirations of Bromley residents through quality and affordable care
- End of life care - Wherever possible people at the end of their life will be supported at their home and with their family

- Moving out of the family home – We will help young adults with disabilities and long-term health conditions move out of their family home in a planned way.

**Priority 6: Working in Partnership with NHS services and other health agencies– care and health integration**

Successful care and health integration is the planning, commissioning and delivery of co-ordinated, joined up and seamless services to support people to live healthy, independent and dignified lives and which improves outcomes for all who live in Bromley. Everyone should receive the right care, in the right place, at the right time.

Through the One Bromley Local Care Partnership we will work collaboratively with NHS and other care and health services in the voluntary and private sectors, joining up and/or integrating our services where this gives the best outcomes to residents

- Prevention and early intervention through integrating primary care services – We will work with GPs, community healthcare and other primary care agencies to develop the preventative and early intervention approach that joins up care and health support in the community and close to people’s homes
- Community based care and support – We will seek to deliver more joined up care and support with NHS and other health and care services in local communities
- Supporting our hospitals – We will work with the Princess Royal University Hospital, Oxleas NHS Trust and other local hospitals to help reduce and avoid the need for hospital admissions and support timely discharge to supported care in the community
- Integrated commissioning and transformation – We will work with Integrated Care System partners to commission and deliver joined up care and health services and to ensure the best use of resources
- The work of this strategy will be aligned with and compliment the work of all other local care and health strategies including the Bromley Local Care Partnership 5-year Strategy and the Bromley Health and Wellbeing Strategy.

**Priority 7: Supporting all care and health services in Bromley to be the best – working in partnership and shaping the local care and health market**

Our residents’ health and care is supported by a wide range of national and local organisations. It is vital that all health, care, housing and other services work in partnership to ensure that residents get the right care and support with the minimum of red tape. We will collaborate with local care providers and shape the market to sustainably provide services that meet local needs.

- Collaboration – We will work in a collaborative and integrated way with health, housing, transport, leisure, and other services, to deliver person centred care and support, create new opportunities to improve outcomes for residents and make the best use of resources
- Support local independent health and care providers – We will work with local health and care provider organisations in both the private and not for profit sectors to help them meet the needs of Bromley residents
- Support to voluntary and community organisations – We will support and facilitate voluntary and community organisations that can give residents help and support in and close to their homes
- Supporting the health and care workforce – health and care is one of the biggest employment sectors in Bromley. We will work to help organisations recruit and retain skilled health and care workers

**Priority 8: Managing our resources well – providing value for money through efficient and effective care and health services**



Growing demand for care and support at a time of reduced public resources means that to achieve our priorities, we will need to maintain a focus on efficiency, outcomes of services and prudent management of our finances. Over the last few years, we have demonstrated that we can manage our money well, innovate and use our resources differently while at the same time improving care and health services and outcomes for residents.

- Living within our means - We will work within our budgets to deliver high quality services to our residents
- Recognising the importance of our workforce - We will implement workforce strategies which help to recruit and retain the highest quality staff for our services
- Developing practice and skills for Council health and care staff – We will invest in the Council's care and health workforce to deliver the best outcomes for our residents
- Commissioning and market shaping - We will develop integrated care and health commissioning ensuring our commissioned services deliver what is expected
- Fair cost of care for self-funders – We will work to shape and support the local care and health market to provide sufficiency and good value to those who fund, in part or in whole, their care and support, giving advice to self-funders
- Realising the benefits of digitalisation in service delivery – We will use the Council's Digital Strategy to integrate systems and processes where it is feasible and practical and where this improves services
- Developing information and knowledge sharing – We will work across partnership agencies to enhance the intelligence available to all agencies to improve resident care and health
- Being innovative in our service delivery – We will be innovative and learn from best practice to achieve good outcomes and better use of resources

#### **Our Promise to residents and carers**

- We will respect you, listen carefully and understand what support you need
- We will be ambitious for you and empower you to play to your strengths and understand your rights
- We will collaborate with you to help meet your needs
- Your wellbeing will our highest priority

#### **Our promise to our care and health partners**

- We will be respectful, understanding and responsive
- We will collaborate with you flexibly and imaginatively
- We will be reliable
- We will be trustworthy and accountable
- We will work with you to share learning and ambition

#### **Reporting on our progress**

We will report our progress on delivering this strategy through regular reports to the Council's Adult Care and Health Policy and Development Committee and through other communications to service users and carers.

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Report No.  
ACH23-037

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**With pre-decision scrutiny from Adult Care & Health Policy Development and Scrutiny Committee on 5<sup>th</sup> September 2023**

**Date:** 20<sup>th</sup> September 2023

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

**Title:** Section 256 - Project Funding Allocation

**Contact Officer:** Andrew Royle, Strategic Commissioner  
Tel: 0208 E-mail: Andrew.royle@bromley.gov.uk

**Chief Officer:** Kim Carey, Director of Adult Social Care

**Ward:** All

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#### 1. Reason for decision/report and options

- 1.1 The South East London Integrated Care Board (ICB) has made available financial support to the London Borough of Bromley (LBB) to help provide the borough with funding to support services to adults and children with autism and to support admission avoidance and prevention into adult Assessment and Treatment Units or children's CAMHS in patient provision.
- 1.2 This transfer of non-recurrent funds is being made via a Section 256 arrangement. Portfolio Holder and Executive approval is required before the funds are spent in accordance with the Council's financial guidelines.

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#### 2. RECOMMENDATION(S)

- 2.1 The Adult Care & Health PDS is asked to note and comment on the contents of the report.
- 2.2 Executive is recommended to:
- i) **Agree to receipt the funds from the Integrated Care Board under a Section 256 Agreement**

- ii) Award contracts to the following organisations via an exemption from tendering:**
- 18 months contract with Bromley Mencap for an Autism Pathway Project at a total cost of £82,321**
  - 12 months contract with Bromley Mencap for an All-Age Autism Specialist Welfare Benefit Service at a total cost of £58,769**
  - 12 months contract with CASPA for a Travel Support Programme at a total cost of £40,000**
- iii) Delegate to the Director of Adult Services, in consultation with the Portfolio Holder for Adult Care and Health Services, the Assistant Director Governance & Contracts, the Director of Finance and the Director of Corporate Services, authorisation to directly award the Community Discharge Grant funding.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: 420 people aged 16+ with Autism are currently supported through the Autism Pathway, this additional funding will provide additional one off support for this cohort as well as expanding to families and a wider group of Autistic people.
- 

### Transformation Policy

1. Policy Status: Existing Policy:
  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 people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
    - (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: £200,000 Autism Community Grant; £119,000 Community Discharge Grant
  2. Ongoing costs: Non-Recurring Cost: Non-recurrent grant funding from the ICB
  3. Budget head/performance centre: Adult Social Care
  4. Total current budget for this head: £83.7m
  5. Source of funding: South East London Integrated Care Board – Learning Disability and Autism Programme
- 

### Personnel

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

### Legal

1. Legal Requirement: Non-Statutory - Government Guidance
  2. Call-in: Applicable:
- 

### Procurement

1. Summary of Procurement Implications:
- 

### Property

1. Summary of Property Implications: Not Applicable
- 

### Carbon Reduction and Social Value

1. Summary of Social Value Implications:  
COVID-19 recovery Tackling economic inequality Equal opportunity Wellbeing
- 

### Impact on the Local Economy

1. Summary of Local Economy Implications:

All financial spend will be within the borough boundaries so will benefit the local economy. Improving benefit take up by individuals and families will have a positive economic impact both within the family unit and the wider economy.

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#### Impact on Health and Wellbeing

##### 1. Summary of Health and Wellbeing Implications:

Wide ranging impacts from growth in general confidence; increased confidence in ability to be outside the house; greater financial freedom; advice and support on coping strategies; friendship groups; tenancy support; health matters; employment support; improving life skills.

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#### Customer Impact

1. Estimated number of users or customers: Based on national prevalence data the conservative estimate is that there are 5300 adults (16+) and 680 children and young people (0-15yrs) who are Autistic living in Bromley. Currently 420 people access the Autism Pathway Project; CASPA have 347 autistic members under the age of 16 and a further 189 over 16.
- 

#### 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 South East London ICB has made available, via a Section 256 agreement, two non-recurring grants to be used by the London Borough of Bromley for the benefit of its residents.
- 3.2 The first non-recurring grant of £200,000 is to be used solely for the purpose of supporting autistic people of all ages and their families in the community. The required outcomes from this funding are that people with autism and their families can maintain their role and contribution to the community in which they live. The funding is to support access to services that provide skills and resources that enable autistic people to improve their wellbeing and to ensure that there is an equality of access to universal services.
- 3.3 The second non-recurring grant of £119,000 is for the specific purpose of either supporting discharge from in-patient Assessment and Treatment Units (ATU) or preventing such admissions, including Tier 4 CAMHS, in the first place. We are currently in discussions with the ICB as we believe the sum available to Bromley should be £380,248.
- 3.4 Following consultation with representative groups, families, autistic people's feedback and analysis of commissioning trends a programme of projects were identified as local priorities. These projects will also support the priority outcomes within the Council's All Age Autism Strategy (2022-2027), the Learning Disability Strategy and the Adult Care & Health Portfolio Plan. Robust and meaningful outcomes and Key Performance Indicators will also be agreed prior to the projects starting and will be monitored on a quarterly basis to ensure that the projects are delivered to plan.
- 3.5 Both of these grants are non-recurring and it has been made clear to the providers of the projects that neither the Council nor the ICB can commit to any further funding beyond that made available through this report. All the providers of the projects will be required to have an agreed exit strategy in place prior to commencement showing how the project will end or what alternative (non-Council) funding or provision will be accessed when this grant funding ends.
- 3.6 Autism Pathway Project:
- 3.6.1 This project was originally commissioned via the Bromley Well Innovation Fund, direct funding was then picked up by the SEL ICB due to the success of the project. The project accepts autistic adults from the age of 16 and who are not receiving funded services. It is intended to continue funding this project delivered by Bromley Mencap within the Bromley Well partnership for a further 18 months.
- 3.6.2 To date the project has engaged with 420 Autistic adults (16+) with 133 people accessing the service in the last quarter, and each person was contacted an average of 4 times. People are typically supported by 1-1 appointments, phone, text and email and are also supported in 1-1 video messaging appointments, Facebook Messenger and WhatsApp chat.
- 3.6.3 Workshops are also delivered by this project. These are delivered both in person and via Zoom. The workshops focus on managing money, managing emotions and self-regulation, and building social skills. The workshops are run simultaneously in person and online to engage a range of people.
- 3.6.4 The use of digital technology has proven successful when engaging autistic people. The projects Facebook Page and Group continues to be a source of support and outreach to autistic people, professionals, and other organisations. Both the page and group provide members with relevant information, including autism events and details for upcoming sessions run by the Autism Service. Similarly, the Instagram account for the project continues to grow

and reach an increasing number of followers. There are currently 530 followers with the account being accessed mostly by those aged between 25 and 44 years old.

3.6.5 Outreach with CASPA, Mind and the Oxleas Adapt Service have taken place to discuss the Autism Service and working collaboratively to further support Autistic adults.

### 3.7 All Age Autism, Specialist Welfare Benefit Service

3.7.1 The Autism Pathway Project identified a large number of requests for support with benefit claims. The benefits system is not well suited to autistic people with easy access to Personal Independent Payment (PIP) benefits a particular challenge with some people with autism finding it difficult to navigate the interviews and form filling which make up the assessment process.

3.7.2 It is proposed that a full-time autism specialist welfare benefits role based in Bromley Mencap and aligned closely with the Autism Pathway Project to be initiated for a 12-month period. The post will support all age autism welfare benefit claims to support access to resources and independence.

3.7.3 Through previous projects, funded by the National Lottery, Mencap have proven invaluable in supporting people with disabilities to maximise their benefits, having achieved additional income through welfare benefits of £250,000 over a 12-month period. With a dedicated full time resource to focus purely on welfare benefit forms for Autistic people and their families it is anticipated that additional income will be much higher. The proposal to use Mencap as the provider of this service will allow us to take full advantage of their depth of knowledge and expertise.

3.7.4 The response from Autistic people, representative organisations, families and professionals has been overwhelmingly positive as all parties recognise the very real barriers Autistic people and their families face in accessing the benefits system.

### 3.8 Travel Support Programme

3.8.1 Use of public transport can often be a barrier for autistic people when accessing community resources and employment. It is therefore proposed to fund a 12-month travel support programme with CASPA, a local community autism support charity.

3.8.2 This programme would be open to autistic people from the age of 14 who need initial support to attend a new day service, place of employment, education facility, leisure/friendship activities etc.

3.8.3 The emphasis will be on supporting Autistic people who will be able to use the skills learned to enhance their personal freedom and wellbeing.

3.8.4 The project anticipates supporting 42 autistic people over a 12 month period.

3.8.5 Supporting autistic people to travel independently will reduce the impact the current transport market has on people as well as potentially reducing transport costs for both the Council and autistic people.

### 3.9 Family Support Co-Ordinator



- 3.9.1 It is proposed to increase the hours delivered by an existing Social Communication Needs (including Autism) Family Support Co-ordinator post. This post is based within the Council's Early Intervention and Family Support (EIFS). This will increase capacity within the service and reduce waiting times for families.
- 3.9.2 The EIFS supports families struggling with day-to-day challenges offering a range of services and links with other agencies such as health visitors, making it easier for families to get the right help, at the right time and from the right people.
- 3.9.3 The aim will be to offer the right help to as many children and families as possible at the earliest opportunity to tackle a wide range of issues.
- 3.10 Autism Acceptance Week
- 3.10.1 Next year, World Autism Acceptance Week will take place from 27th March - 2nd April 2024. It is proposed to use an element of this funding to deliver a one-day information and celebration event to bring together autistic people, families, stakeholders and the general public to showcase what is available for and successes achieved by autistic people.
- 3.10.2 This governance of this funding will sit with the Bromley All Age Autism Board.
- 3.11 Community Discharge Grant
- 3.11.1 As noted earlier in this report we are in discussion with the ICB over the correct level of grant funding available to LBB. Pending the outcome of these discussions it is not possible to set out in detail the project that would be initiated with this grant, but a core set of principles have been identified.
- 3.11.2 A community-based programme that works into the homes of those families with adult clients with challenging behaviour/autism/mental health needs is proposed as the most effective use of these funds. Such a service will complement a similar service for children and young people run by Bromley Y and facilitate a joined-up approach with CYP/SEN services and creating a smoother move into adult services for service users and their families.
- 3.11.3 There is an increase in the complexity of people remaining in their family units and we need to be able to support families in skills, knowledge and advice.
- 3.11.4 The aim of this would be to prevent admission to ATU/Tier 4 as well as increasing resilience in families/carers and thereby preventing breakdown and a resulting demand on council funded accommodation and services. The project will enable early identification and intervention and promote the most local and least restrictive support. In order to achieve this flexible, tailored solutions that lead to positive change will be required.
- 3.11.5 The intention would be to also increase use of Direct Payments and personalised Health & Care budgets to maximise choice & control for families and clients.
- 3.11.6 If the additional funding is not made available from the ICB this work will not be commenced.

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

- 4.1 Based on national prevalence data the conservative estimate is that there are 5300 adults (16+) and 680 children and young people (0-15yrs) who are Autistic living in Bromley. Currently 420 people access the Autism Pathway Project; CASPA have 347 Autistic members under the age of 16 and a further 189 over 16.
- 4.2 Given the wide-ranging nature of the proposed projects and the outcomes anticipated we would be expecting to deliver a significant positive impact in people's lives. The respective service

areas will monitor all the projects closely to ensure that outcomes are on track and are meeting the needs of Autistic people and their families.

## 5. TRANSFORMATION/POLICY IMPLICATIONS

5.1 These proposals are driven by, and support, the priority outcomes as set out in both the Council's All Age Autism Strategy the Learning Disability Strategy and the Adult Care & Health Portfolio Plan.

## 6. FINANCIAL IMPLICATIONS

6.1 This report recommends that Executive approves the acceptance of two non-recurrent grants, via a section 256 agreement, from the South East London ICB. The first non-recurring grant of £200,000 is to be used solely for the purpose of supporting Autistic people of all ages and their families in the community. The second non-recurring grant of £119,000 is for the specific purpose of either supporting discharge from in-patient Assessment and Treatment Units (ATU) or preventing such admissions, including Tier 4 CAMHS, in the first place.

6.2 The intention is to use the grant funding to fund various projects as described in the body of the report and summarised in the table below.

Project	Amount	Provider
Autism Pathway Project	<b>£82,321</b>	<b>Bromley Mencap</b>
All Age Autism, Specialist Welfare Benefit Service	<b>£58,769</b>	<b>Bromley Mencap</b>
Family Support Coordinator	<b>£14,000</b>	<b>LBB</b>
Travel Support Programme	<b>£40,000</b>	<b>CASPA</b>
Autism Acceptance Week Event	<b>£4,910</b>	<b>N/A</b>
Community Discharge Grant	<b>£119,000</b>	<b>TBC</b>
<b>Total</b>	<b>£319,000</b>	

6.3 This report further recommends the awards of the following contracts in relation to three of the above projects, funded from the grant monies described in paragraph 6.1:

- An 18-month contract with Bromley Mencap for an Autism Pathway Project at a total cost of £82,321
- A 12-month contract with Bromley Mencap for an All-Age Autism Specialist Welfare Benefit Service at a total cost of £58,769
- A 12-month contract with CASPA for a Travel Support Programme at a total cost of £40,000

## 7. LEGAL IMPLICATIONS

- 7.1 This report seeks approval to enter a section 256 arrangement to accept a grant in the sum of £319,000 from the ICB to address local issues affecting Autistic children, young people, adults and their families and also support with admission avoidance and prevention into adult Assessment and Treatment Units or children’s CAMHS in patient provision.
- 7.2 The Council has various duties owed towards children with special educational needs, disabled children and young people, in particular under Part 3 of the Children and Families Act 2014, together with associated Regulations (Section 256 is in the NHS Act 2006).
- 7.3 Section 256 of the National Health Service Act 2006 provides authority for a clinical commissioning group to make payments to the council towards expenditure in connection with any social services functions. Section 1 of the Localism Act 2011 provides a power for local authorities to act in any way they see fit provided that action falls within the law (the general power of competence). This would include any action calculated to be in the best interests of the council’s local area.
- 7.4 This report also seeks approval to award the contracts set out at 8.1 of the report. These are service contracts for the purposes of the Public Contracts Regulations 2015 and below the relevant threshold therefore only subject to Part 4 of the Regulations.
- 7.5 For contracts of this value, CPR 13 requires approval from the Chief Officer following Agreement with the Director of Corporate Services, Assistant Director Governance & Contracts and the Director of Finance.
- 7.6 Procurement colleagues have confirmed elsewhere within this report the actions identified in this report are provided for within the Council’s Contract Procedure Rule, and the proposed actions can be completed in compliance with their content.

## 8. PROCUREMENT IMPLICATIONS

- 8.1 This report seeks to award contracts to the following organisations:

Provider	Service	Duration	Value
Bromley Mencap	Autism Pathway Project	18 months	£82,321
Bromley Mencap	Autism Specialist Welfare Benefit Service	12 months	£58,769
CASPA	Travel Support Programme	12 months	£40,000

- 8.2 These are service contracts and the value of each procurement fall below the thresholds set out in Part 2 of the Public Contracts Regulations 2015, so is only subject to Part 4 of the Regulations.
- 8.3 As the organisations are voluntary sector providers, and these are Light Touch Services, CPR 3.5.5 permits the exemption in consultation with the Director of Corporate Services.
- 8.4 The rationale for the exemption is set out in sections 3.1 to 3.8 above.
- 8.5 This action is permissible under the general waiver power of the Council (CPR 3.1). The Council’s requirements for authorising exemptions are covered in CPR 13 with the need to obtain Approval from the Portfolio Holder following Agreement from the Assistant Director

Governance & Contracts, the Director of Finance, the Director of Corporate Services and the Chief Officer for Contracts totalling the values set out in the table above. However, the report also requires the draw down of a section 256 grant received from South East London ICB and this requires Approval from Executive.

8.6 As each of the contract values are over £30k including VAT, an award notice will need to be published on Contracts Finder.

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

**9.0 SOCIAL VALUE IMPLICATIONS**

9.1 The proposed projects support the Council in meeting the priority Social Value themes of:

- i) COVID-19 recovery – the psychological impact of COVID on people with Autism has been particularly profound through enforced social isolation.
- ii) Tackling economic inequality – through the increased uptake of benefits
- iii) Equal opportunity – tackling workforce inequality through support into employment.
- iv) Wellbeing – through improving the health and wellbeing of Autistic people and their families.

**10. IMPACT ON THE LOCAL ECONOMY**

10.1 The proposed funding will be spent with local third sector enterprises. The enhanced spending power of people in full receipt of benefits will also have a trickle through effect into the local economy.

**11. IMPACT ON HEALTH AND WELLBEING**

11.1 The early intervention, prevention and strength-based approach of these proposals focus on delaying and preventing care and support needs, and supporting people to live as independently as possible for as long as possible.

11.2 Enhancing personal choice and control are at the heart of these proposals and as such support the Council’s wellbeing duties as detailed in the Care Act 2014.

<b>Non-Applicable Headings:</b>	7 Personnel Implications; 10 Property Implications; 14 customer Impact; 15 Ward Councillor Views
Background Documents: (Access via Contact Officer)	Bromley Learning Disability Strategy  Bromley All Age Autism Strategy

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of the Local Government Act 1972.

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