



THE LONDON BOROUGH
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DATE: 28 July 2023

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

Councillor Tony Owen (Chairman)
Councillor Thomas Turrell (Vice-Chairman)
Councillors Will Connolly, Christine Harris, Colin Hitchins, Tony McPartlan,
Chris Price, Will Rowlands, Alison Stammers and Pauline Tunnicliffe

Non-Voting Co-opted Members
Tommy Velvick, Bromley Youth Council (Part 1 only)

A meeting of the Renewal, Recreation and Housing Policy Development and Scrutiny
Committee will be held Bromley Civic Centre on **MONDAY 7 AUGUST 2023 AT
7.00 PM**

TASNIM SHAWKAT
Director of Corporate Services & Governance

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be printed off at <http://cds.bromley.gov.uk>. Any member of the public
requiring a paper copy of the agenda may request one in advance of the
meeting by contacting the Clerk to the Committee, giving 24 hours notice
before the meeting.**

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

A G E N D A

PART 1 AGENDA

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

STANDARD ITEMS

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **MINUTES OF THE RENEWAL, RECREATION AND HOUSING PDS COMMITTEE MEETING HELD ON 15 JUNE 2023 (Pages 3 - 16)**
- 4 **PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS**
 - a **PROCUREMENT STRATEGY FOR LEISURE CENTRE MAJOR WORKS PROGRAMME (Pages 17 - 26)**
 - b **CHANGING PLACES FACILITIES ROUND 2 FUNDING (Pages 27 - 34)**

PART 2 (CLOSED) AGENDA

- 5 **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

- | | |
|---|---|
| <ol style="list-style-type: none">6 EXEMPT MINUTES OF THE RENEWAL, RECREATION AND HOUSING PDS COMMITTEE HELD ON 15 JUNE 2023 (Pages 35 - 36) | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
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RENEWAL, RECREATION AND HOUSING POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 15 June 2023

Present:

Councillor Tony Owen (Chairman)
Councillor Thomas Turrell (Vice-Chairman)
Councillors Will Connolly, Christine Harris,
Tony McPartlan, Chris Price, Will Rowlands,
Alison Stammers and Pauline Tunnicliffe

Tommy Velvick, Bromley Youth Council (Part 1 only)

Also Present:

Councillor Yvonne Bear

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Colin Hitchins.

2 APPOINTMENT OF CO-OPTED MEMBER Report CSD23077

The Committee was asked to confirm the appointment of a non-voting Co-opted Member and an alternate non-voting Co-opted Member representing Bromley Youth Council for the 2023/24 municipal year.

RESOLVED: That:

- 1) Tommy Velvick be appointed as a non-voting Co-opted Member of the Renewal, Recreation and Housing PDS Committee for the 2022/23 municipal year for the consideration of Part 1 (Public) reports only.**
- 2) Jacob Fenwick-Read be appointed as an alternate non-voting Co-opted Member of the Renewal, Recreation and Housing PDS Committee for the 2022/23 municipal year for the consideration of Part 1 (Public) reports only.**

3 DECLARATIONS OF INTEREST

Councillor Tony Owen declared that he was in receipt of a pension paid by the Pensions Insurance Corporation PLC.

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

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

5 MINUTES OF THE RENEWAL, RECREATION AND HOUSING PDS COMMITTEE MEETING HELD ON 21 MARCH 2023

In considering Minute 61A: Budget Monitoring 2022/23, a Member requested an update on maintenance issues impacting Bromley's traveller sites. The Assistant Director, Culture and Regeneration advised that an assessment of traveller sites had been undertaken as part of the Local Authority's Operational Property Review. Recruitment was now underway for a dedicated officer to take forward the maintenance works identified during the assessment.

RESOLVED: That the minutes of the meeting held on 21 March 2023 be agreed and signed as a correct record.

6 MATTERS OUTSTANDING AND FORWARD WORK PROGRAMME Report CSD23078

The report set out progress against outstanding actions from previous meetings and the Committee's Forward Work Programme.

RESOLVED: That the report be noted.

7 HOLDING THE RENEWAL, RECREATION AND HOUSING PORTFOLIO HOLDER TO ACCOUNT

The Portfolio Holder for Renewal, Recreation and Housing provided an update to the Committee on her activities.

Housing continued to be a key area of focus for the Portfolio. There had been a reduced supply of houses provided by Housing Associations in recent years; however, Phase 2 of the Meadowship Homes scheme was expected to secure a further 186 properties for Bromley households and the Local Authority was reviewing its own sites for development potential. In response to questions from Members, the Assistant Director: Housing advised that movement of housing tenants between properties had slowed, possibly due to the cost-of-living crisis, and that whilst Housing Associations did have a number of properties classed as void, this was generally due to refurbishment works or legal action with tenants so these properties were not currently available. A Member observed that the most common reason for homelessness was people being asked to leave accommodation and the Assistant Director: Housing explained that this was primarily linked to friends and family evictions where living arrangements had broken down.

RESOLVED: That the update be noted.

**A HOUSING, PLANNING AND REGENERATION PORTFOLIO
PLAN UPDATE - 2022/23 Q4 UPDATE
Report HPR2023/003**

The report presented the 2022/23 Quarter 4 update to the Housing, Planning and Regeneration Portfolio Plan.

In response to a question from a Member, the Head of Regeneration advised that the latest round of the Local Parades initiative had experienced delays as a result of the COVID-19 pandemic. Approximately 50% of the £250k Small Shopping Parades grant funding had been expended and it was aimed to complete the majority of remaining projects during 2023. Some previously agreed capital schemes were no longer viable, and a report would be presented to the next meeting of the Renewal, Recreation and Housing PDS Committee on 6 September 2023 providing a status update and details of any remaining budget. A Member requested that examples of capital projects with little or no revenue or maintenance commitments be shared with Members to assist them in identifying suitable projects and this would be circulated after the meeting.

The Assistant Director, Culture and Regeneration advised Members that the commercial opportunities for vacant buildings listed in the Portfolio Plan was a workstream being led by the Parks Team as the majority were disused park buildings and an update would be provided to the next meeting of the Renewal, Recreation and Housing Committee on 6 September 2023.

RESOLVED: That the progress on the actions associated with the Housing, Planning and Regeneration Portfolio Plan for Quarter 4 of the 2022/23 financial year be noted.

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

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

**A LAWN TENNIS ASSOCIATION PARKS TENNIS
RENOVATION FUND - TENDER PROCESS
Report HPR2023/031**

The report provided details of a successful grant application made to the Lawn Tennis Association for £230,580 to renovate ten tennis courts across the Borough and sought authority to procure a minor works contract from the Lawn Tennis Association's framework contract for the capital build improvement works. Approval was also sought to proceed to tender for an

operator to manage the tennis court sites via a concession contract that would be cost neutral to the Local Authority.

In considering the report, a Member queried whether there would be a charge to access the renovated tennis courts which were currently free at the point of use. The Assistant Director: Culture and Regeneration explained that there would be a nominal charge to use the tennis courts, but this was very low cost and would include a free allocation to those who could not afford to pay. Another Member asked whether arrangements could be made for free access for local schools and young people, and this would be raised with the operator. In response to a question by the Co-opted Member, the Assistant Director: Culture and Regeneration advised that the operator would be responsible for the security of the tennis courts, including the installation of a gate system.

RESOLVED: That the Portfolio Holder be recommended to:

- 1) Approve proceeding to tender for an operator to manage the tennis court sites at Church House Gardens, Coney Hall Recreation Ground, Goddington Park and Poverest Park. The contract will be a concession contract with an estimated turnover value of £23,236 per annum for a 5-year contract with the option to extend for 5 years (estimated whole life value of £232,360) and would be cost neutral to the Council; and,**
- 2) Approve the procurement of a minor works contract from the Lawn Tennis Association's framework contract for the capital build improvement works at an expected value of £230k to be funded by the Lawn Tennis Association as previously approved.**

B LIBRARIES WORKS PROGRAMME Report HPR2023/035

The report presented the Libraries Works Programme and requested approval to proceed to tender for a consultancy team to scope the works programme and prepare the tender for the works contract.

In considering the report, a Member observed that no specific budget had been set for each building within the Library Works Programme scheme and queried whether this affected the previous allocation of £1M to Chislehurst Library. The Assistant Director: Culture and Regeneration advised that the total budget for the Library Works Programme was £10.77M plus a £246k allocation from the Operational Property Review's external consultancy cost budget. No specific budget had been set for the buildings within the scheme to allow for maximum flexibility; however, it was anticipated that approximately £1M would be allocated to works at Chislehurst Library in line with the previous budget allocation. In response to a query from another Member, the Assistant Director: Culture and Regeneration confirmed that refurbishment

works at St Paul's Cray Library were currently on schedule and delivering within budget.

RESOLVED: That the Portfolio Holder be recommended to:

- 1) Agree to proceed to procurement for a consultancy team to scope the works programme and prepare the required documents for the subsequent works tender at an estimated contract value of £860k; and,**
- 2) Note the recruitment of a temporary two-year Project Manager to oversee the works programme at an estimated cost of £125k.**

**C CONTRACT VARIATION - PHASE 2 OF THE HOUSING REVENUE ACCOUNT POLICIES AND ALLOCATION POLICY
Report HPR2023/028**

The report requested a variation be agreed to an existing contract for the development of housing policies to ensure the Local Authority was compliant with the requirements of the Regulator of Social Housing and Housing Ombudsman as a social housing provider and stockholding authority.

The Head of Housing Schemes advised the Committee that whilst the report set out the need for the Council's Executive to agree funding for this variation, this was no longer necessary as funding had now been identified.

RESOLVED: That the Portfolio Holder be recommended to approve the Contract Variation to Campbell Tickell for the provision of consultancy services to continue the development of the various housing policies and work relating to the allocation policy at a value up to £42,500 with a cumulative contract spend of £133,500.

**D PROVISIONAL OUTTURN 2022/23
Report HSF23038**

The report provided details of the final outturn position for the Renewal, Recreation and Housing Portfolio Holder for the 2022/23 financial year.

RESOLVED: That the Portfolio Holder be recommended to endorse the final outturn position for the Renewal, Recreation and Housing PDS Committee for the 2022/23 financial year.

9 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee considered the following reports on the Part 1 agenda for the meeting of the Executive on 5 July 2023:

**A ADOPTION OF ORPINGTON TOWN CENTRE
SUPPLEMENTARY PLANNING DOCUMENT
Report HPR2023/038**

The report proposed the adoption of the Orpington Town Centre Supplementary Planning Document which provided guidance to assist with the determination of planning applications in the Orpington Town Centre area, including on design requirements. The final draft SPD included a number of amendments made as a result of a public consultation undertaken between 9 March 2023 to 1 July 2022. This report was also considered by the Development Control Committee at its meeting on 13 June 2023 and the recommendations had been supported.

The Chairman advised that in considering the Orpington Town Centre Supplementary Planning Document at its meeting on 13 June 2023, the Development Control Committee had recommended the following changes to the Renewal, Recreation and Housing PDS Committee for agreement:

- SPD Guidance Note 11: Change to 'Tall buildings will need to ~~be of the highest~~ **achieve exemplary** architectural design quality...
- Section 6: Orpington East: Paragraph 6.4, Bullet 4 – Change to 'In accordance with Local Plan and London Plan requirements, particularly Local Plan policy 47 and London Plan policy D9, tall and large buildings will need to ~~be of the highest~~ **achieve exemplary** architectural design quality'

A Member and Ward Member for Orpington Ward voiced her support for the Orpington Town Centre Supplementary Planning Document.

RESOLVED: That the Council's Executive be recommended to adopt the Orpington Town Centre Supplementary Planning Document as a local development document, subject to the proposed above amendments and any further minor changes (e.g. – related to formatting or mapping) prior to adoption.

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

The report proposed the adoption of the Urban Design Guide Supplementary Planning Document which provided guidance on urban design to inform development proposals coming forward in Bromley with the aim of ensuring consistent high-quality design. The final draft SPD included a number of amendments made as a result of a public consultation undertaken between 28 October 2022 to 9 December 2022. This report was also considered by the Development Control Committee at its meeting on 13 June 2023 and the recommendations had been supported.

The Chairman advised that in considering the Urban Design Guide Supplementary Planning Document at its meeting on 13 June 2023, the Development Control Committee had recommended the following changes to the Renewal, Recreation and Housing PDS Committee for agreement:

- Paragraph 3.11: Change to 'Petts Wood developed during the late 1920s and 1930s, ~~inspired by the Garden City movement~~ **following the Garden Suburb principle.**'
- Guidance Note DG14, Part B – Change from 'best practice' to 'good practice'.
- Paragraph 5.254 – Change from 'can' to 'should.'
- Guidance Note DG19, Parts A and B – Change to 'a) ~~Adopting~~ **Noting** the Healthy Streets Approach' and 'b) ~~Adopting~~ **Noting** an inclusive holistic approach'.
- Guidance Note DG20, Part C – Change to 'Incorporating internal **and external** ~~water-saving~~ water consumption measures to ~~minimise consumption~~ **ensure efficient use of water resources**, and external Sustainable Urban Drainage Systems (SUDs) to manage surface water and flood risk.'

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

- 1) **Adopt the Urban Design Guide Supplementary Planning Document as a local development document, subject to the proposed above amendments and any further minor changes (e.g. -. related to formatting or mapping) prior to adoption; and,**
- 2) **Withdraw the following documents:**
 - i) **Supplementary Planning Guidance 1 – General Design Principles;**
 - ii) **Supplementary Planning Guidance 2 – Residential Design Guidance; and,**
 - iii) **Design Guides for Shop Fronts in Beckenham, Chislehurst and Bromley North Village.**

**C UKSPF: PEOPLE AND SKILLS FUNDING
Report HPR2023/040**

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

RESOLVED: That Council's Executive be recommended to:

- 1) **Approve the acceptance of the allocation of the UKSPF grant funding totalling £534,800, approve for the revenue budgets to be adjusted accordingly, and approve for this funding to be used for**

the interventions set out in paragraphs 3.6 - 4.17 to Report HPR2023/040;

- 2) Delegate authority to the Director of Education and the Director of Housing, Planning and Regeneration in consultation with the Portfolio Holder for Renewal and Recreation to move funding between the programmes to best respond to demand and ensure outputs and outcomes are met; and,**
- 3) Note the additional monies already allocated to Bromley through existing programmes set out in 3.4 to Report HPR2023/040.**

**D DIGITAL INFRASTRUCTURE: STRATEGIC INVESTMENT FUND
Report HPR2023/033**

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

In response to a question from a Member, the Head of Economic Development explained that whilst this particular proposal focused on extending dark fibre provision, the overall improvement to the Borough's broadband infrastructure was likely to make Bromley more attractive to private sector investment and this could help address remaining pockets of poor internet connectivity.

RESOLVED: That Council's Executive be recommended to:

- 1) Subject to a successful bid outcome, progress the use of up to £1m funding from the Strategic Investment Fund to deploy dark fibre using the communications provider procured by the Greater London Authority via the Transport for London framework; and,**
- 2) Approve a new one-off capital budget of £48,600 funded from the Local Authority's Growth Fund earmarked reserve for connecting three new CCTV camera sites and one existing dark fibre network extension.**

**E HOUSING OPTIONS AND PREVENTION OF HOMELESSNESS GRANT DRAWDOWN
Report HPR2023/042**

The report outlined proposals for the delivery of homelessness advice and information services for the 2023/24 financial year, including an enhanced homelessness service for those fleeing domestic violence, to be funded by the Homelessness Prevention Grant, Accommodation for Ex-Offenders Programme and Rough Sleeping Initiative.

A Member was pleased to note the broad range of work being undertaken to tackle homelessness and queried how Members could best support this. The Assistant Director: Housing underlined the need for the Local Authority to continue to work closely with its Housing Association partners to establish high quality social housing in the Borough and emphasised the importance of managing the expectations of those seeking to secure social housing.

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

- 1) Approve the drawing down and spend of:**
 - i) The increase in Homelessness Prevention Grant for 2023/24 of £360k;**
 - ii) The Accommodation for the Ex-Offenders Scheme grant funding of up to £148k per annum for 2023/24 and 2024/25;**
 - iii) The Rough Sleeping Initiative 5 (2023-24) grant funding of up to £428k.**

- 2) Note that Report HPR2023/042 sets out the planned allocation of resources for the above three Grants.**

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

The report sought approval to accept a £40k grant from the England and Wales Cricket Board and London Cricket Trust to fund the installation of four Non-Turf Pitches in four parks across the Borough and to proceed with the works.

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

- 1) Accept the £40k grant from the England and Wales Cricket Board and London Cricket Trust;**

- 2) Agree to proceed to procurement for the installation of the Non-Turf Pitches; and,**

- 3) Agree to the scheme being added to the capital programme.**

10 POLICY DEVELOPMENT AND OTHER ITEMS

**A ENFORCEMENT PLAN 2023
Report HPR2023/029**

The report presented the Enforcement Plan 2023 which had been updated to reflect the current status, including an additional procedural flowchart. This report was also considered by the Development Control Committee at its meeting on 13 June 2023 and the recommendation had been supported.

RESOLVED: That the revised Enforcement Plan and flowchart be noted.

**B UPDATE ON MORE HOMES BROMLEY SPV PROPERTY
ACQUISITION PROGRAMME
Report HPR2023/036**

The report provided an update on the More Homes Bromley Special Purpose Vehicle (SPV) which was set up by the joint partnership of the Mears Group and the Local Authority to acquire up to 400 properties for homeless households.

A Member noted that the scheme currently held 360 properties located within and outside of the Borough and queried whether there were plans to purchase more properties under the scheme which had aimed to acquire up to 400 properties. The Assistant Director: Housing advised that there were a small number of properties within the scheme identified for disposal and that it was possible that additional properties could be added to the scheme once these properties had been disposed of. The Member also flagged concerns around the performance of the scheme against Key Performance Indicators for repairs and turnaround time between tenancies. The Assistant Director Housing confirmed that due to the geographical spread of properties, More Homes Bromley had experienced difficulties in securing contractors. Work to improve performance was ongoing, including the appointment of a new contractor, and the Local Authority was monitoring the situation closely.

RESOLVED: That the update be noted.

**C MEADOWSHIP HOMES UPDATE
Report HPR2023/036**

The report provided an update on the Meadowship Homes joint venture with Orchard and Shipman for the acquisition of residential properties for affordable housing.

RESOLVED: That:

- 1) The progress of the scheme to date and Risk Register be noted;
and,**
- 2) Future updates to the business plan by the Director of Housing,
Planning, Property and Regeneration would be made in
consultation with the Head of Finance, Adults Health and Housing
and the Portfolio Holder for Renewal, Recreation and Housing.**

**D CONTRACT REGISTER
Report HPR2023/027**

The report presented an extract from the Contracts Register detailing contracts with a whole life value of £50k or higher as at 21 April 2023.

RESOLVED: That the Contracts Register be noted.

11 RENEWAL, RECREATION AND HOUSING INFORMATION BRIEFING

The items comprised:

- Digital Infrastructure Work Plan Update
- Housing Allocations Review Briefing Paper
- Provision of Library Service – Contract Performance Report
- Leisure Centre Redevelopment Update Report

In response to a question from a Member on the Housing Allocations Review Briefing Paper, the Head of Housing Schemes advised that project delivery timescales had been re-worked to ensure that public consultation did not fall within the summer break. An update report on this workstream would be provided to the next meeting of the Renewal, Recreation and Housing PDS Committee on 6 September 2023.

RESOLVED: That the Information Briefing be noted.

PART 2 (CLOSED) AGENDA

12 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**

13 PART 2 (EXEMPT) POLICY DEVELOPMENT AND OTHER ITEMS

A PART 2 (EXEMPT) MEADOWSHIP HOMES INFORMATION

The Committee considered Part 2 (Exempt) information for Item 10c: Meadowship Homes Update.

B PART 2 (EXEMPT) CONTRACTS REGISTER APPENDIX

The Committee considered a Part 2 (Exempt) appendix for Item 10d: Contract Register.

*Renewal, Recreation and Housing Policy Development and Scrutiny
Committee
15 June 2023*

The Meeting ended at 7.53 pm

Chairman

**RENEWAL, RECREATION AND HOUSING PDS COMMITTEE
15 JUNE 2023**

NON-SPECIFIC QUESTIONS

(A) QUESTIONS FOR ORAL REPLY

From Councillor Will Connolly to the Portfolio Holder for Renewal, Recreation and Housing

1. Can the Portfolio Holder please update the Committee following the Damp and Mould motion proposed by Cllr Connolly at the last Full Council, on the data and reporting on damp and mould from Housing Associations, that was promised to the Council?

Reply:

The reporting form for Members is now live and the data collated from this will be included in the quarterly performance reports to this committee.

Supplementary Question:

Are there any further updates regarding the development of the dashboard?

Reply:

The dashboard will comprise centrally held data as well as that reported by Members. Members are kindly requested to make full use of the reporting form to ensure that issues around damp and mould are captured and details of how to report issues will be circulated to all Members following the meeting.

Reply:

2. Can the Portfolio Holder please update the Committee on investment plans for Bromley's Libraries?

Reply:

The report on the Library Repair Programme is included in the agenda.

Supplementary Question:

There was no supplementary question.

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Report No.
HPR2023/044

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE

Date: For Pre-Decision Scrutiny by the Renewal, Recreation and Housing Policy Development and Scrutiny Committee on Monday 7 August 2023

Decision Type: Non-Urgent Executive Non-Key

Title: PROCUREMENT STRATEGY FOR LEISURE CENTRE MAJOR WORKS PROGRAMME

Contact Officer: Alicia Munday, Head of Regeneration
E-mail: Alicia.munday@bromley.gov.uk
Max Graham, Regeneration Project Manager
E-mail: Max.Graham@bromley.gov.uk

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

Ward: Orpington; West Wickham;

1. Reason for decision/report and options

- 1.1 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 are 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 will allow preliminary procurement arrangements to commence which will 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.
-

2. RECOMMENDATION(S)

The Renewal, Recreation and Housing PDS is asked to note the contents of this report and make any comments available to the Council's Executive.

The Council's Executive is asked to:

- 2.1 Note 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.
- 2.2 Subject to 2.1, approve the in-principle procurement strategy set out in Option 1 (paragraph 3.10) 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.
- 2.3 Note 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 2.1.

Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
-

Transformation Policy

1. Policy Status: Existing Policy Further Details: Operational Property Review
 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: No Cost, Further Details: No cost at this stage, full costs of work proposals will be provided to Executive later this year.
 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*): 1
 2. If from existing staff resources, number of staff hours: 36
-

Legal

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

Procurement

1. Summary of Procurement Implications: All options considered in this report are compliant.
-

Property

1. Summary of Property Implications: The MyTime lease can be broken for the major works planned.
-

Carbon Reduction and Social Value

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

Impact on the Local Economy

1. Summary of Local Economy Implications: 3.10.3 notes opportunities to maximise the benefit to the local economy.
-

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*): N/A
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1. As part of the Council's Operational Property Review led by the Property division, condition surveys were undertaken on all the Council's properties. This review included leisure facilities, and both the Walnuts and West Wickham facilities were identified as requiring significant investment. A provisional sum of £27.1m (plus £500k feasibility funding) was therefore identified for these works (Executive Report Nov 2022 and March 2023). Given the scale of works required, and likely total replacement of some significant parts of the facilities, this is a major works programme which not only secures the facilities for the future, but also increases the potential of the facilities to secure a rental yield.
- 3.2. In 2018, leisure centre facilities in Bromley were moved to 40 year leases with Mytime Active. The facilities were grouped into two lots, with Group 1 facilities on a Full Repair and Insurance Lease (FRIL) with Mytime Active. The council retained maintenance responsibility for the Group 2 properties which include the West Wickham and Walnuts leisure centre sites. It is envisaged that the undertaking of these significant works will result in the West Wickham and Walnuts facilities being moved into Group 1, where the operator is responsible for a FRIL lease as well as a commercial rent paid to the Council on the properties.
- 3.3. On 29th March 2023 the Executive agreed that officers could progress the OPR workstreams and proceed to procurement via the NHS SBS framework. Whilst this is the approach for much of the OPR programme, which is being led by the Property team, there are a number of workstreams being managed by the Culture and Regeneration division, including the Walnuts and West Wickham Leisure Centres. This report focusses on the recommended approach for the major works of the Walnuts and West Wickham leisure centres.
- 3.4. The Walnuts (built 1970) and West Wickham (built 1967) Leisure Centres are amongst the boroughs most used facilities, averaging in excess of c.20,000 visits per month. An Indoor Sports Facilities Needs Assessment for Bromley discovered that across the borough, the supply of swimming pools available to the community has the ability meet current demand from residents. Both the Walnuts and West Wickham leisure centres are important to meeting this demand, however, the age and quality of the pools at these centres make them less attractive to users and they have corresponding lower utilisation levels. Should both centres be improved, utilisation would increase and unmet demand from across the borough would decrease.
- 3.5. Given the above information, the Council appointed a specialist leisure services partner (Alliance Leisure Services) via a compliant framework to undertake feasibility works that consider the following:
 - Engagement with residents and stakeholders to discuss their priorities
 - Facilities modelling – predominantly looking at what facilities are available across the Borough and nearby to ensure we are meeting recommended levels of service
 - Surveys – to review the current state and what is possible on the sites and within the fabric of the existing buildings
 - Sustainability – operational modelling that ensures any investment becomes sustainable and generates a future income
- 3.6. To date, a wide range of feasibility works have already been completed in order to investigate the works required and potential of each centre. These works include, amongst others, Structural, MEP, Pool Filtration and Topological surveys and assessments. The specialist delivery partner also facilitated a wide-reaching public engagement exercise gathering over 6000 responses which, alongside demographic, opportunity and competition analysis, has since informed initial facility mix proposals. The results of the work undertaken to date, alongside the

works currently being carried out, will be presented to Executive in October 2023. This report will seek decision on the scope of the works and the associated budget.

3.7. The below table provides an indicative timeline for the delivery of this project:

Detailed Surveys of Buildings undertaking	April-July 2023
Initial site plans drafted	July 2023
Initial costs appraisal within budget of what can be delivered	July 2023
Executive Approval for works and next phase of works, including appointment of delivery partner for works, alongside agreement of operator model and likely rental yield for redeveloped centres	October 2023
Serve Notice to MyTime Active on the first leisure centre to undergo works	October 2023
Draft details plans	October -November 2023
Submit Planning Application and Building regs compliance	December 2023
Tender of Operator	October-January 2023
Works to commence on first site	Late 2024
Works to be completed on first site	Summer 2026
Works to commence on second site	Autumn 2026
Works to be completed on second site	Summer 2028

3.8. Although this early feasibility work is not yet complete, given that both leisure facilities are at risk of imminent closure given the current condition of the buildings, officers would like to secure the procurement strategy for the anticipated works in order to add pace to the programme and secure works as quickly as possible following the completion of the feasibility study and the Executive decision on proceeding with the works. This report sets out the recommended procurement strategy for the delivery partner and works elements of the leisure centre major works programme.

3.9. The feasibility study is expected to be completed in September and reported to Executive in October 2023. This will provide a detailed breakdown of what works are needed and what works can be completed within the budget allocated as part of the OPR. The report will also set out recommendations for the future operator model of the facilities. The following options relate solely to the delivery partner and works element of the programme. It should be noted that all procurement options are subject to Executive decision on proceeding with the project in October 2023.

OPTIONS APPRAISAL

- 3.10. **Option 1** – Subject to Executive Approval of the main works programme in October 2023, appoint a delivery partner under a Development Agreement via the UK Leisure Framework. The UK Leisure Framework is a compliant single supplier framework created by Denbighshire County Council. As such, it is a compliant route to procurement and has been used by other Councils for similar leisure service projects. The single supplier available through the framework is Alliance Leisure Limited who are already familiar with the project and the Council as they are undertaking the feasibility works. They will act as the delivery partner, responsible for delivery of the overall project, in partnership with the Council, including contracting for the principal works contractor and holding the contract with them. Procurement via this route will allow the Council to benefit from the skills, expertise and extensive network that Alliance Leisure have in the leisure industry which is one of the key features of the framework. The delivery partner would be responsible for contracting the principle works contractor, any additional subcontractors and day to day management of the build works, minimising the risk to the Council. The delivery partner will work with the Council to ensure that all key project requirements are met within budget. A significant advantage of this approach is that the delivery partner has confirmed they will commence the preliminary procurement of the principle works contractor immediately and at their risk, working in partnership with Council officers. The approach to the procurement is outlined in point 3.10.3 and would be carried out with zero risk or cost to the Council, pending Executive decision on proceeding with the project. Approval of this option would expedite the appointment of both the delivery partner and the principle works contractor and allow for progress to be made at pace subject to Executive approval of the main works programme later this year. Should this option be agreed, formal award of contract will also be sought from Executive as part of the October 2023 report.
- 3.10.1. It should be noted that even though Alliance Leisure, via the UK Leisure Framework, has been used to source the feasibility works for this project, there is no requirement for the Council to use the framework for this next stage. The UK Leisure Framework is recommended due to being set up specifically for projects of this type with the single supplier available through the framework, Alliance Leisure, having the required expertise and experience in leisure centre delivery. Alliance Leisure have significant experience of delivering refurbished, redeveloped and new leisure centres for local authorities and have worked with many contracting authorities as a compliant route to procurement. This includes over 220 leisure developments since their founding, including the following schemes on behalf of contracting authorities:
- White Oak Leisure Centre, Sevenoaks District Council - £20m, new build
 - Ramsgate Leisure Centre, Thanet District Council - £4.2m, redevelopment
 - Monmouth Leisure Centre, Monmouthshire County Council - £7.4m, refurbishment
 - SC2 indoor water park, Denbighshire County Council - £17m, new build
 - Chard Leisure Centre, Somerset Council - £16m, new build
 - Duncan Edwards Leisure Centre, Dudley Borough Council - £18m, new build
 - Cheltenham Leisure Centre, Cheltenham Borough Council - £2.5m, refurbishment
 - Northallerton Leisure Centre, Hambleton District Council - £2.5m, refurb & extension
- 3.10.2. This route could allow the principal delivery partner and principal works contractors to be ready to appoint within two months, noting that award of contract for either the delivery partner or their sub-contractors would not be made until Executive decision on proceeding with the project has been confirmed. This would allow the project to proceed at pace with the delivery of these works subject to Executive approval to commence the project planned for October 2023.

- 3.10.3. The delivery partner has indicated the following approach for the appointment of works sub-contractors: pre-vetted works contractors via the UK Leisure Framework would be invited to bid for the works and conduct site visits. The competition would involve the submission of multiple quality questions alongside a pricing schedule. The questions would examine, amongst other things, their leisure experience, methodology and social value. Bidders would be asked to make their best endeavours to hire local subcontractors where possible and engage with the local skills and employment programmes developed by the Council. These would be evaluated as part of the social value question which, alongside other questions, would be evaluated by both Council and delivery partner staff. Candidates would be invited to interviews with the Council to answer questions regarding their submission and a principal contractor would be chosen after that. A similar approach has been taken for principal works contractors for the following councils:
- Durham County Council, Bishop Auckland Leisure Centre
 - Shropshire Council, Whitchurch Leisure Centre
 - Northeast Derbyshire Council, Clay Cross Active
 - Wychavon District Council, Droitwich Leisure Centre
 - Somerset Council, Chard Leisure Centre
- 3.10.4. Given the complexity and risks involved in delivering leisure schemes and the current fluctuating and unpredictable market conditions, this option benefits from bringing a principal works contractor on board early in the design development process. This would enable close integration between the tender and technical specifications, input on buildability and specialist subcontractor packages early in the design stages and forms a strategic approach to life cycle maintenance throughout the entire project. In addition, this option reduces the risk of designs not aligning with the budget as the contractor will be able to provide costings advice while the designs are still being developed.
- 3.11. **Option 2** - this is as per Option 1 except that the delivery partner will be wholly responsible for conducting the appointment of principle works contractors without input from the Council on the selection of contractors. This may allow them to conduct their procurement route quicker, however there is no time saving in this as proceeding will still be dependent upon the overall Executive decision in October 2023. For this reason, together with reduced Officer input to the process, the option is not recommended.
- 3.12. **Option 3** – Subject to Executive Approval of the main works programme in October 2023, appoint a delivery partner only via the UK Leisure Framework. This would mean that Alliance Leisure Services would be the delivery partner of the Leisure Centre Major Works programme but not responsible for the principal works contractor. The Council would hold a contract with the delivery partner to support the delivery of the programme but would seek to procure and hold a contract directly with a principal works contractor separately. The benefit of this option is that the Council will run its own tender programme and will be in full control of the procurement for the works contractor. However this option would delay works to the programme, likely for several months or more, while a full procurement process is conducted by Council officers. It is not expected that this route to procurement will secure any improved value as opposed to option 1, given the experience of the delivery partner in procuring works of this type via the UK Leisure Framework.
- 3.12.1. The indicative timeline highlighted point 3.7 is not compatible with this option and would need to be re-worked. It is likely that this option would delay work to the first site until Spring 2025.
- 3.13. **Option 4** - Subject to Executive Approval of the main works programme in October 2023, the Council seeks to procure via an open tender (or similar) for both the delivery partner and the main works contractor, either together or separately, to support the delivery of the

programme of works. This option may broaden the scope of the market but will significantly delay the delivery timeline of the project by at least 6 to 12 months. It is not expected that this route to procurement will secure any improved value as opposed to option 1 as the UK Leisure Framework is specifically set up for projects of this type.

- 3.13.1. The indicative timeline highlighted point 3.7 is not compatible with this option and would need to be re-worked. It is likely that this option would delay work to the first site until at least Summer 2025.

PREFERRED OPTION

- 3.14. Option 1 – Option 1 is a compliant route that allows for progressing with this programme of works at pace while also considering value for money and retaining council control over key appointment decisions. Early commencement of the tender for a principal works contractor would be at zero cost and risk to the Council as the delivery partner will proceed at their own risk with any formal contract awards subject to Executive decision on proceeding with the project. Whilst Option 2 does not impact the timeline of delivery, the Council would not be involved in the appointment of key contractors, unlike option 1. Option 3 and 4 are not recommended as they result in significant delays to the programme which creates significant risk given the very poor state of the buildings.

4. FINANCIAL IMPLICATIONS

- 4.1 The total budget for the leisure centres element of the Operational Property Review is £27.6m, comprising £27.1m for works and £0.5m for feasibility studies.
- 4.2 The contents of this report have no direct financial implications. If the proposal is approved, the financial implications of the delivery model, dependent on outcomes of the exercise described, will be considered in the relevant future reports.

5. LEGAL IMPLICATIONS

- 5.1 As stated in the Procurement Implications below, this report requests Members to make a decision on how to proceed with procuring the works programme for the West Wickham and Walnuts Leisure Centres in principle with any specific decision on how to proceed to award any works contracts to be made later in the year by the Executive.
- 5.2 The Council has the legal power to hold, maintain and develop its landholdings and buildings in connection with its functions and general powers in the way described in this report in particular in connection with its leisure and recreation powers under section 19 of the Local Government Act (Miscellaneous Provisions) Act 1976.
- 5.3 This report conditionally recommends procuring the works programme required to the West Wickham and Walnuts Leisure Centres, via the UK Leisure Framework Agreement. As these public works contracts would be in excess of the financial thresholds of the Public Contracts Regulations 2015 (the Regulations), which is currently £5,336,937 excluding VAT, then those works must be procured in accord with the Regulations. The use of a compliant framework agreement to procure the works is permitted under Regulation 33.
- 5.4 Members will note that as this report does not recommend any particular works or services to be undertaken by Alliance Leisure then they will be working at their own risk in any preparatory work before this matter comes before the Executive for a decision later this year. Alliance Leisure's current contracts with the Council are to conduct the feasibility studies on both leisure centres.

6. PROCUREMENT IMPLICATIONS

- 6.1 This report seeks to set out a decision in principle for the procurement strategy in preparation for the main works programme for the Walnuts and West Wickham Leisure Centres only and no award of contract is being recommended at this time.
- 6.2 This report seeks an agreement, subject to Executive Approval of the main works programme later this year, for Alliance Leisure to undertake preparatory works through the UK Leisure Framework run by Denbighshire County Council, with various options set out as above.
- 6.3 All options as given above offer the Council a compliant route under the Public Contract Regulations, and the Preferred Option, as set out above is in compliance with the Regulations, the Council's Contract Procedure Rules and the UK Leisure Framework.
- 6.4 Executive are asked to note that any work undertaken by Alliance Leisure, as part of this decision in principle would be undertaken at their own risk, as set out above, this decision does not constitute an award of contract. The award of contract will be set out in a subsequent report that will be subject to Executive Approval of the main works programme later this year.
- 6.5 The actions identified in this report are provided for within the Council's Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.

7. PROPERTY IMPLICATIONS

- 7.1 Both the Walnuts Leisure Centre and West Wickham are owned freehold by the Council but are occupied and operated by Mytime Active on commercial lease arrangements as follows:
- Walnuts Leisure Centre – leased to Mytime Active for a term of 25 years dated 4th April 2019, commencing 1st April 2019, on a 40 year term expiring 31st March 2059 at a peppercorn (nil) rent.
 - West Wickham Leisure Centre - leased to Mytime Active for a term of 25 years 4th April 2019, commencing 1st April 2019, on a 40 year term expiring 31st March 2059 at a peppercorn (nil) rent.
- 7.2 There is a landlord break clause within each lease allowing the Council to terminate the lease at any time by serving a break notice on the tenant at least 12 months prior to the break date. To effect this break clause the Landlord is required to have passed a formal resolution or resolutions to: 'Demolish or reconstruct the property or substantial part of it or the building of which the property or a substantial part of that building or to carry out substantial works of construction at the property or the building of which it forms part or to sell the property'
- 7.3 Regeneration colleagues leading on the proposed programme of works will need to instruct the Council's Estates Team on this matter and ensure that suitable notice is given to trigger the break clause to enable such works to take place with the benefit of vacant possession as it will not be possible to undertake the proposed works with the tenant in situ.
- 7.4 This report sets out an intention to then seek a future tenant to occupy and operate the leisure centres following completion of the works on a commercial basis including on FRI lease terms and paying a commercial rent. The Council's Estates Team will need to be instructed in this regard to appoint suitable advisors to secure a future tenant at the appropriate point in the future ensuring the Council meets its statutory obligations with regards to Section 123 of the

Local Government Act 1972 regarding best value which is relevant to all leases with a term of 7+ years.

8. IMPACT ON THE LOCAL ECONOMY

- 8.1 Procurement of large contracts such as this provide an opportunity to increase the development of dense local supply chains (including SMEs), to support local employment and to retain and circulate wealth in the local economy.
- 8.2 3.10.3 notes opportunities in this process to maximise this potential. Officers should work in partnership with the delivery provider to consider the inclusion of employment conditions, social value and environmental considerations in the decision-making process.

9. WARD COUNCILLOR VIEWS

Awaiting Comments

Non-Applicable Headings:	Impact on Vulnerable Adults and Children Transformation/Policy implications Personnel Implications Carbon Reduction/social value implications Impact on Health and Wellbeing Customer Impact
Background Documents: (Access via Contact Officer)	Report No. HPR2023/034

Report No.
HPR2023/045

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE

Date: For Pre-Decision Scrutiny by the Renewal Recreation and Housing Policy Development and Scrutiny Committee on Monday 7 August 2023

Decision Type: Non-Urgent Executive Key

Title: CHANGING PLACES FACILITIES ROUND 2 FUNDING

Contact Officer: Max Graham, Regeneration Project Manager
E-mail: Max.Graham@bromley.gov.uk

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

Ward: All Wards

1. Reason for decision/report and options

- 1.1 The team has been successful in the second round of DLUHC Changing Places funding and awarded a further £185k to be spent on installing a two Changing Places facilities in the borough.
- 1.2 Officers are seeking formal approval to accept and spend the grant monies in line with the parameters of the grant funding.
-

2. **RECOMMENDATION(S)**

The Renewal, Recreation and Housing Committee is asked to note the contents of this report and make comments available to the Council's Executive.

The Council's Executive is asked to:

- 2.1 Approve the allocation and spend of the Changing Places Fund grant monies which total £185k, 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.
- 2.2 Approve the distribution of funds to MyTime Active and to the Metropolitan Police Hayes Sports Club to deliver Changing Places facilities at Biggin Hill Leisure Centre and The Warren subject to signed management and maintenance agreements.
- 2.3 Delegate authority to the Director of Housing, Planning, Property and Regeneration, in consultation with the Portfolio Holder for Renewal, Recreation and Housing, to agree any changes to the delivery of Changing Places programme within the boundaries of the grant funding available and legal contract with DLUHC.

2.4 Approve a funding application for any additional funding rounds announced by DLUHC where suitable locations can be found and secured with no ongoing revenue costs.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The delivery of two further Changing Places facilities across the borough will have a positive impact upon vulnerable adults and children. The completion of these facilities will enable residents to access their local communities, enjoy days out and visit green spaces and leisure facilities in a safe manner.
-

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.
-

Financial

1. Cost of proposal: £185k
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Changing Places
 4. Total current budget for this head: £185k
 5. Source of funding: Department for Levelling Up, Housing and Communities
-

Personnel

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

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: The Council will not be required to provide maintenance resource for the new facilities.
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: delivery of facilities will add social value.
-

Impact on the Local Economy

1. Summary of Local Economy Implications: beneficial societal impact as those who are excluded from the local economy have more opportunities to partake.
-

Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: Positive benefits for those with complex needs.
-

Customer Impact

1. Estimated number of users or customers (*current and projected*): 1,290 estimated Changing Places users within the Borough
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 In February 2023, the Council was awarded £185k grant funding from the Department of Levelling Up, Housing and Communities (DLUHC) following an application to the Changing Places Fund. The Changing Places Fund provides capital funding to local authorities to deliver Changing Places facilities in existing buildings and for the provision of standalone modular Changing Places facilities. The Council has previously received £220k from the same grant fund to deliver four changing places facilities across the borough which are already in delivery and have been reported to and agreed by the Executive.
- 3.2 The full background to this report is set out in report HPR2022/043 which was received by the Renewal, Recreation and Housing Committee in October 2022.
- 3.3 Changing Places facilities support people with complex and multiple disabilities whose needs are not met by a standard accessible toilet. Changing Places facilities are larger and contain specialist equipment including an adult-sized changing bench and ceiling track hoist.
- 3.4 Consultation with Changing Places users from the borough was carried out to determine the priority locations for new Changing Places facilities prior to the submission of the grant application. The results of the consultation determined parks and green spaces, and leisure facilities were the preferred locations for Changing Places provision. This is in line with national consultation carried out by Muscular Dystrophy UK which identified that parks and open spaces, leisure facilities and healthcare buildings were all key locations for provision.
- 3.5 Subsequently officers identified the following sites for Changing Places toilets in the second funding application: Biggin Hill Leisure Centre and The Warren (Hayes) this is in addition to the locations funded originally at Princess Royal University Hospital (PRUH), Crystal Palace Park, High Elms Country Park and the Pavilion Leisure Centre. All facilities will be completed by Spring 2024. All these sites have operators in place that will be responsible for the ongoing management and maintenance of the facility and will be required to sign a legal agreement committing them to this.
- 3.6 The delivery of these facilities will significantly improve the spread of Changing Places facilities across the borough, therefore increasing access to parts of the borough for people with disabilities that severely limit mobility, and those with profound and multiple learning disabilities.
- 3.7 Once a facility is complete, under the terms of the grant it requires registration by the Changing Places Consortium. The Consortium is working with DLUHC on the delivery of the Changing Places Grant Fund and is a group who work to support the rights of people with disabilities and the Changing Places Campaign in the UK. Registration of the facility ensures that the internal fitout and equipment meets the requirements of a Changing Places facility.
- 3.8 The Changing Places Fund provides capital funding to deliver the Changing Places facilities and does not include funding to cover any ongoing management and maintenance. The Council will not be responsible for the ongoing management and maintenance of the Changing Places facilities. External partners at each proposed location agreed in principle to cover the ongoing management and maintenance prior to the Council submitting the funding bid. Partners at each site will be required to sign a legal agreement which outlines their management and maintenance responsibility prior to the grant money being transferred.

- 3.9 Biggin Hill Leisure Centre requires £120k and the Warren requires £65k of grant funding in order to install a changing places facility. The entirety of this sum is funded via the DLUHC grant award.
- 3.10 MyTime Active and the Metropolitan Police will be responsible for the management and maintenance of their respective facilities at Biggin Hill Leisure Centre and The Warren and will be required to enter into a legal agreement with the Council which sets out their ongoing responsibility.
- 3.11 MyTime Active and the Metropolitan Police will be expected to undertake the works for the Changing Places facilities directly without Council involvement. On completion of the site, registration of the facility, and signing of the management and maintenance agreement the Council will transfer MyTime £120k and the Metropolitan Police £65k for the sites.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 There are over 250,000 people in the UK who require a Changing Places facility. The Changing Places Consortium provides a list of all registered publicly accessible Changing Places facilities within the UK. There are only Three registered Changing Places facilities in the borough listed by the Changing Places Consortium, two of which are in Bromley Town and the third is now at PRUH. The lack of provision of adequate facilities results in residents, their families, assistants and carers being excluded from their local communities, prevented from having days out and enjoying large areas of the borough. This leads to increased isolation and has negative impacts upon health and wellbeing
- 4.2 The delivery of two further Changing Places facilities across the borough will have positive impacts and enable people who use Changing Places facilities, including people with complex and multiple disabilities, their families, and carers, to enjoy days out in a safe and comfortable manner.

5. TRANSFORMATION/POLICY IMPLICATIONS

- 5.1 Making Bromley Even Better: Ambition 1 Children and Families
- 5.2 Making Bromley Even Better: Ambition 2 Adults and Older People

6. FINANCIAL IMPLICATIONS

- 6.1 The service has been successful in securing a further £185k to be spent on installing a further two Changing Places facilities in the borough.
- 6.2 These facilities will be built using the secured grant funding at no cost to the council, with the ongoing maintenance being provided for by the venues where these toilets are being installed, this means there is no ongoing revenue cost for the council either.

7. LEGAL IMPLICATIONS

- 7.1 This report seeks approval to:
- i) Approve the allocation and spend of the Changing Places Fund grant monies which total £185k, 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;

- ii) Approve the distribution of funds to MyTime Active and to the Metropolitan Police Hayes Sports Club to deliver Changing Places facilities at Biggin Hill Leisure Centre and The Warren subject to signed management and maintenance agreements;
 - iii) Delegate authority to the Director of Housing, Planning, Property and Regeneration, in consultation with the Portfolio Holder for Renewal, Recreation and Housing, to agree any changes to the delivery of Changing Places programme within the boundaries of the grant funding available and legal contract with DLUHC; and
 - iv) Approve a funding application for any additional funding rounds announced by DLUHC where suitable locations can be found and secured with no ongoing revenue costs.
- 7.2 The full background to this report is set out in report HPR2022/043 which was received by the Renewal, Recreation and Housing Committee in October 2022. The Portfolio Holder approved the decision to proceed to procurement via an exemption from competitive tender to the Contractor named in the Part 2 Report for two modular Changing Places facilities, one at Crystal Palace Park and one at High Elms Country Park.
- 7.3 Under section 19 of the Local Government Act 1976 the Council has the legal power to provide and maintain such facilities in connection with any other recreational facilities as the authority considers appropriate. This includes the delivery of Changing Places facilities as outlined in this report.
- 7.4 As set out in report HPR2022/043, a works contract of this value is below the Public Contracts Regulations 2015 (the Regulations) works threshold, a full procurement exercise under the Regulations is not required.
- 7.5 A direct award of a contract by way of an exemption between £100k and £1M must be approved by the Portfolio holder with the agreement of the Chief Officer, Assistant Director of Contracts and Governance, Director of Finance, and the Director of Corporate Services (CPR 13.1). Officers must ensure all Grant conditions are understood and adhered to at all times and site operators enter a management and maintenance agreement.
- 7.6 The Portfolio Holder for Renewal, Recreation and Housing may approve this report as the role of Policy Development and Scrutiny relating to Renewal, Recreation and Housing includes receiving reports, making recommendations and performance monitoring of services relating to leisure and culture.

8. PROPERTY IMPLICATIONS

- 8.1 This report confirms the successful receipt of grant funding for the installation of two changing places toilet facilities at two sites. Ownership and occupation of these sites is noted below:
- Biggin Hill Leisure Centre – owned freehold by the Council, and occupied on a commercial lease by MyTime Active commencing 1st April 2019, for a 40 year term, expiring 31st March 2059.
 - The Warren (Hayes) – the Council has no legal interest in this property. It is owned freehold by the Mayor’s Office for Policing and Crime and is held leasehold by the Metropolitan Police Hayes Sports Club Limited.
- 8.2 This report confirms that the occupiers of the two sites will utilise the grant funding to install changing place toilet facilities and that ongoing revenue required to maintain these will be at their expense. As the Council are the freehold owner of Biggin Hill Leisure Centre, should the lease be terminated (there are landlord and tenant break clauses within the lease), that

responsibility would fall back to the Council. However, the Council has no reason for foresee either party terminating the lease at present.

- 8.3 Any landlord consent required for alterations under the terms of the lease to Mytime will need to be followed in the usual way.

9. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

- 9.1. There are over 250,000 people in the UK who require the use of a Changing Places facility and current provision does not meet this need.
- 9.2. The Council obtained feedback from Changing Places users to determine the impact that new Changing Places facilities would have. Respondents stated that the provision of facilities would reduce anxiety and stress, would enable days out and would enable individuals to use facilities in a safe environment.

10. IMPACT ON THE LOCAL ECONOMY

- 10.1 Lacking in scale, it is difficult to monetise the benefits of providing Changing Places toilets. This difficulty is also acknowledged by the Government at national level. The intervention here is therefore neutral on impact on the local economy.

The substantial benefits are instead societal.

These include:

- That it supports people who are excluded from the economy to take part in everyday activities such as travel, shopping or attending leisure/sport events.
- The quality of life for disabled people and their carers is likely to be significant, increasing levels of dignity, autonomy and freedom.

11. IMPACT ON HEALTH AND WELLBEING

- 11.1 The delivery of two further Changing Places facilities across the borough will have positive impacts and enable people who use Changing Places facilities, including people with complex and multiple disabilities, their families, and carers, to enjoy days out in a safe and comfortable manner.

12. CUSTOMER IMPACT

- 12.1 The Council has set up a working group to progress the delivery of Changing Places facilities throughout the borough. The Changing Places Project Group is a cross-department group comprising Council officers from across the Departments, NHS South East London CCG and Need2Change who represent service users. Service areas represented from the Council include Adult Learning Disabilities and SEND; Environment and Community Services; Culture and Regeneration; and Occupational Therapy, as well as representatives from community organisations Need2Change, Bromley Mencap and Your Voice in Health and Social Care.
- 12.2 Changing Places users were consulted on priority locations for Changing Places facilities within the borough. These views informed the funding bid and the choice of locations for proposed facilities to ensure that local residents benefit from the delivery of the project.

13. WARD COUNCILLOR VIEWS

- 13.1 “We thank Officers for their time and support in sourcing this funding and especially for the funds to be spent in Biggin Hill. We look forward to working with MyTime and Officers in working up the plans and seeing the installation of this much needed and I am sure valued facility.” – Cllr Melanie Stevens
- 13.2 Ward Cllrs requested that the facilities were made available to all members of the public, however given the specialist facilities being provided and the grant conditions this is not possible – Hayes and Coney Hall Ward Councillors.

Non-Applicable Headings:	Personnel and Procurement Implications
Background Documents: (Access via Contact Officer)	HPR2022/043 (Part 1 and Part 2) and Executive Report No. HPR2023/011

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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