

EXECUTIVE

Minutes of the meeting held on 21 May 2018 starting at 7.00 pm

Present:

Councillor Colin Smith (Chairman)
Councillors Graham Arthur, Peter Fortune,
William Huntington-Thresher, Kate Lymer, Peter Morgan
and Diane Smith

Also Present:

Councillor Nicholas Bennett J.P. and
Councillor Simon Fawthrop

1 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Angela Wilkins.

2 DECLARATIONS OF INTEREST

Councillor Peter Morgan declared an interest in relation to the report on the Provisional Final Accounts 2017/18 as his daughter was an employee of the Council's contractor Kier.

3 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Three questions for written reply had been received from Mr Colin Willetts – the questions and replies are set out in Appendix A to these minutes.

4 TO CONFIRM THE MINUTES OF THE MEETINGS HELD ON 28TH MARCH AND 20TH APRIL 2018 Report CSD 18078

RESOLVED that the Part 1 minutes of the meetings held on 28th March 2018 and 20th April 2018 be confirmed.

5 EXECUTIVE APPOINTMENTS

The Leader confirmed the following appointments for 2018/19 –

(1) The Executive

Cllr Peter Fortune – Children, Education & Families and Deputy Leader
Cllr Graham Arthur – Resources, Commissioning & Contract Management
Cllr William Huntington-Thresher – Environment & Community Services
Cllr Kate Lymer - Public Protection and Enforcement
Cllr Peter Morgan – Renewal, Recreation & Housing
Cllr Diane Smith – Adult Care & Health

(2) Executive Assistants

Cllr Nicky Dykes – Children, Education & Families
Cllr Hannah Gray – Renewal, Recreation & Housing
Cllr Gary Stevens – Resources, Commissioning & Contract Management
Cllr Angela Page – Adult Care & Health
Cllr Kira Gabbert – Environment & Community Services
Cllr Aisha Cuthbert – Assistant to the Leader

(3) Boards, Panels, Working Groups

Health and Wellbeing Board

Cllr David Jefferys (Chairman)
Cllr Robert Evans (Vice-Chairman)
Cllr Marina Ahmad
Cllr Graham Arthur
Cllr Yvonne Bear
Cllr Mary Cooke
Cllr Judi Ellis
Cllr Keith Onslow
Cllr Colin Smith
Cllr Diane Smith

Bromley Fostering & Adoption Panel

Cllr Judi Ellis
Cllr Hannah Gray
Cllr Stephen Wells

The Leader confirmed that other appointments, including to the Constitution Improvement Working Group, would be considered outside the meeting.

6 PROGRESS IN IMPLEMENTING CHILDREN'S SERVICES IMPROVEMENTS - ORAL UPDATE

The Deputy Chief Executive and Executive Director of Education, Care and Health Services gave a brief update on progress with the improvement of Children's Services, highlighting (i) the next Ofsted monitoring visit on 12th /13th June which would focus on missing children, gangs and sexual exploitation, and (ii) a meeting with the Department for Education to discuss key issues on 3rd July. He also mentioned that interviews with newly qualified social workers were due to be held in the following week, and he hoped to be able to make a substantial number of appointments. This was particularly welcomed by the Leader.

The Portfolio Holder for Children, Education & Families referred to the successful and well-attended Councillor Induction Session on 10th May and reminded Members about the Corporate Parenting Fun Day on 29th July. He also informed Members that the former Chairman of the Leaving Care Council would be receiving an award from Community Links.

Responding to questions from Members, the Executive Director advised the Committee that he considered solid progress had been made in changing the culture in Children's social care. He also confirmed that 310 children were in care, and promised to provide a report updating Members on their progress.

7 PROVISIONAL FINAL ACCOUNTS 2017/18
Report FSD18040

The Executive considered the 2017/18 provisional outturn as well as the potential implications for the Council's financial position in 2018/19. The 2017/18 provisional outturn provided no variation in general fund balances, subject to the recommendations in the report being agreed.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 17 May 2018. The Chairman of the PDS Committee commented that there needed to be discussion about widening the scope of investment and considering multi asset investment funds rather than commercial property. The Leader and the Portfolio Holder for Resources, Commissioning and Contract Management responded that the Council's property investments had been successful, but that this suggestion should and would be considered.

The Portfolio Holder for Resources, Commissioning and Contract Management reported that a small team led by the Chief Accountant, Tracey Pearson, had worked seven days a week to prepare the accounts within the new, much tighter, statutory deadlines – Members recorded their appreciation for their excellent work. The Leader suggested that it would be appropriate for a letter to go to the Government outlining the difficulty of meeting the new target.

RESOLVED that

(1) The provisional revenue and capital outturns for the 2017/18 financial year and the earmarked balances on the General Fund as at 31st March 2018 be noted.

(2) A more detailed analysis of the 2017/18 final outturn be reported for each Portfolio to the Relevant PDS committees.

(3) The variations in 2017/18 impacting on the Council's 2018/19 financial position be noted.

(4) The comments from Chief Officers as detailed in Appendix 2 of the report be noted.

(5) The requests for carry forwards totalling £1,124k (net) as detailed in Appendix 6, subject to the funding being allocated to the Central Contingency in 2018/19 to be drawn down on the approval of the relevant Portfolio Holder, be approved.

(6) The release of £80k from the 2017/18 Central Contingency as detailed in paragraph 3.6.2 of the report be agreed.

(7) A further contribution of £550k to the Joint Initiatives and Pump Priming (BCF) earmarked reserve be approved as detailed in paragraph 3.8.4 of the report.

(8) Council be recommended to set aside a sum of £1,086k in an earmarked reserve for Income Equalisation (Treasury Management) as detailed in paragraph 3.4.4.

(9) Council be recommended to set aside a sum of £2,000k as a further contribution to the Transformation Fund earmarked reserve as detailed in paragraph 3.7.2.

(10) Council be recommended to set aside a sum of £5,000k as a further contribution to the Financial Planning & Risk Reserve as detailed in paragraph 3.7.3.

(11) Council be recommended to set aside a sum of £2,319k as a further contribution to the Growth Fund as detailed in paragraph 3.7.4.

(12) Council be recommended to set aside a sum of £2,609k as a further contribution to the Investment Fund as detailed in paragraph 3.7.5.

8 CAPITAL PROGRAMME OUTTURN 2017/18
Report FSD18041

The Executive considered a report setting out the final outturn on capital expenditure and receipts for 2017/18. Capital expenditure in the year was £40.3m, compared to the final approved budget of £51.6m, agreed in February resulting in a total net variation of Cr £11.3m. For funding purposes, £3.5m slippage was assumed in the Quarter 3 capital monitoring report, so there was an overall variation of Cr £7.8m in the use of capital receipts and external and revenue contributions.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 17 May 2018.

RESOLVED that

(1) The report be noted.

(2) The following amendments to the Capital Programme for 2018/19 be approved:

- a) Increase of £15k to the 30 hours childcare IT scheme funded from the revenue grant underspend in 2017/18 as detailed in paragraph 3.2.1 of the report;**

- b) Addition of £178k to the capital programme to reflect additional Disabled Facilities Grant received as detailed in paragraph 3.2.2 of the report;**
- c) Addition of £116k to the Biggin Hill Memorial Museum scheme funded from revenue (£54k) and external contributions (£62k) as detailed in paragraph 3.2.3 of the report.**

(3) It be noted that the Provisional Final Accounts 2017/18 report elsewhere on the agenda recommends that Council approves contributions of £2.6m to the Investment Fund and £2.3m to the Growth Fund.

9 FORMAL CONSULTATION ON THE PROCUREMENT STRATEGY FOR INSURANCE POLICIES Report FSD18039

The Executive considered a report seeking approval to tender for the Council's current insurance policies, as well as approval to vary the Council's Total Facilities Management (TFM) contract to include an asset valuation review that would help inform the tender and ensure appropriate levels of cover were maintained. The Council's current policies for insurance cover were due to expire on 30th April 2019. It was proposed to re-tender the policies for a period of five years, with an option to extend for a further period of three years. With a potential eight year contract term, the total value of the policies was estimated to be approximately £5.6m.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 17 May 2018. The Committee had questioned the amount of money proposed to be spent on re-valuations. The Portfolio Holder for Resources, Commissioning and Contract Management confirmed that officers anticipated that savings could potentially be achieved. The Director of Finance confirmed that a benchmarking exercise was being carried out; the Portfolio Holder for Renewal, Recreation and Housing suggested that this should not just focus on other Councils, and the Leader suggested that he discuss this further with the Director.

RESOLVED that:

- (1) The contents of the report be noted.**
- (2) The contracts for the Council's insurance policies be tendered using a restricted OJEU process.**
- (3) The contract length be for a period of five years with the option to extend for a further period of three years at an estimated annual value of £694k (gross) and an estimated whole life value, inclusive of extension option, of £5.6m (gross).**

(4) Authority be delegated to the Director of Finance to approve the optional three year extension in consultation with the Portfolio Holder for Resources, Commissioning and Contract Management, Director of Commissioning and Director of Corporate Services.

(5) A variation of the Council's TFM contract with Amey for Cushman and Wakefield to undertake an asset valuation review for insurance purposes, the value of the variation being estimated at £200k as detailed in section 3.4 of the report, be agreed.

(6) The tender documentation to be used is that provided by the Council's Insurance Broker, JLT, as detailed in the report.

(7) Contracts for the policies will be predominantly on the tenderers' proposed terms, as detailed in section 3.7 of the report.

**10 CONTRACT AWARD FOR SUBSTANCE MISUSE SERVICES -
LOT 1 ADULTS/LOT 2 CHILDREN - PART 1**

The Executive considered a part 1 summary of the Part 2 report on the Contract Award for Substance Misuse Services, providing an overview of the tendering process in accordance with the Council's financial and contractual procedure rules. Members noted that the recommendation was to award contracts for a term of three years with a possible extension of up to a further two years.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 17 May 2018.

RESOLVED: That the summary report be noted.

**11 CONTRACT AWARD - SUPPORTED LIVING SCHEMES AT
PADUA ROAD, BROSSO WAY AND BROMLEY ROAD (PART 1)**
Report CS18136

The Executive considered a Part 1 summary of the part 2 report on the Contract Award for Learning Disability Supported Living Schemes. The summary provided an overview of the process for the tendering of the learning disability supported living schemes at 34 Padua Road, 44 Bromley Road and 15 Brosse Way in accordance with the Council's financial and contractual requirements.

RESOLVED that the Part 1 summary report be noted.

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

There were no additional items to report from the Executive, Resources and Contracts PDS Committee.

13 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**

14 EXEMPT MINUTES OF THE MEETINGS HELD ON 28TH MARCH AND 20TH APRIL 2018

The exempt minutes of the meetings held on 28th March 2018 and 20th April 2018 were confirmed.

15 CONTRACT AWARD FOR SUBSTANCE MISUSE SERVICES - LOT 1 ADULTS/LOT 2 CHILDREN - PART 2

See minute 10 – the Executive considered Part 2 details relating to the proposed award of contract for Substance Misuse Services - Lot 1 Adults/Lot 2 Young People, which they authorised.

16 AWARD OF CONTRACT FOR PHASE 2 WORKS AT STEWART FLEMING PRIMARY SCHOOL

The Executive approved the contract award for Phase 2 works at Stewart Fleming Primary School.

17 CULTURE PROJECTS - CONTRACT AUTHORISATIONS

This report was withdrawn.

18 CONTRACT AWARD - SUPPORTED LIVING SCHEMES AT PADUA ROAD, BROSSIE WAY AND BROMLEY ROAD

See minute 12 – the Executive considered part 2 details relating to the proposed award of contract for Supported Living Schemes at Padua Road, Brosse Way and Bromley Road, which they authorised.

The Meeting ended at 7.30 pm

Chairman