

EXECUTIVE

Minutes of the meeting held on 11 July 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 Ian Dunn and Councillor Simon Fawthrop

19 APOLOGIES FOR ABSENCE

There were no apologies for absence.

20 DECLARATIONS OF INTEREST

There were no declarations of interest.

21 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

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

22 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 21ST MAY 2018

Report CSD18078

RESOLVED that the minutes of the meeting held on 21st May 2018 be confirmed.

23 PROGRESS IN IMPLEMENTING CHILDREN'S SERVICES IMPROVEMENTS - UPDATE FROM DEPUTY CHIEF EXECUTIVE AND EXECUTIVE DIRECTOR, EDUCATION, CARE AND HEALTH SERVICES

The Executive received a report from the Deputy Chief Executive and Executive Director, Education, Care and Health Services, in relation to the progress in improving children's services. The report focussed on corporate parenting opportunities to engage with looked after children and care leavers, the Leaving Care review by Mark Riddell MBE and the Ofsted monitoring visit on 12th/13th June 2018.

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The Deputy Leader took the opportunity to remind all Members about the Corporate Parenting Fun Day on 29th July 2018.

RESOLVED that the contents of the report be noted.

24 BUDGET MONITORING 2018/19
Report FSD18055

Members received the first budget monitoring report for 2018/19, based on expenditure and activity levels up to the end of May 2018. The report identified expenditure pressures, such as agency staff and the increase in children coming into care following the Ofsted report. The Leader reiterated the necessity to keep on top of controllable costs across all budget lines to Portfolio Holders and Chief Officers

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 5th July 2018.

RESOLVED that

(1) The latest financial position and comments from chief officers detailed in appendix 2 be noted, including -

- (a) that a projected net overspend on services of £1,679k is forecast based on information as at May 2018;**
- (b) a projected variation of £219k debit from investment income as detailed in sections 3.6 and 3.7 of the report;**
- (c) the carry forwards being requested for drawdown as detailed in section 3.3;**
- (d) a projected reduction to the General Fund balance of £2,396k as detailed in section 3.4;**
- (e) the full year cost pressures of £2.8m as detailed in section 3.5.**

(2) The release of £400k relating to the cost of Local Elections from the 2018/19 Central Contingency as detailed in paragraph 3.2.2 be agreed.

(3) The release of £28k SEND Pathfinder grant from the 2018/19 Central Contingency as detailed in paragraph 3.2.3 be agreed.

(4) The return to the Central Contingency of £961k as detailed in paragraph 3.2.4 be noted.

25 CAPITAL PROGRAMME MONITORING – 1ST QUARTER
2018/19
Report FSD18056

The report set out the current position on capital expenditure and receipts following the first quarter of 2018/19 and sought approval for a revised capital programme.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 5th July 2018.

RESOLVED that

(1) The report be noted, including a total re-phasing of £14,666k from 2018/19 into future years, and a revised Capital Programme be agreed.

(2) The following amendments to the Capital Programme be approved:

(a) Deletion of the £1k residual balance on Penge & Anerley Libraries (see paragraph 3.3.2 of the report);

(b) An increase of £472k on Transport for London (TfL) funded Traffic and Highways schemes (see paragraph 3.3.3);

(c) Addition of £129k for The Widmore Centre scheme (see paragraph 3.3.4);

(d) Addition of EFA allocation of £29k for Healthy Pupils Capital Fund scheme (see paragraph 3.3.5);

(e) Increase of £26k to the Performance Management/Children Services IT scheme funded by a decrease to the Social Care Grant scheme (see paragraph 3.3.6);

(f) Deletion of £36k from the Anerley Town Hall Library Provision as the scheme has completed (see paragraph 3.3.7); and

(g) It is noted that a report elsewhere on the Agenda requests the addition of £6,462k to the Capital Programme for Depot Improvement Works (see paragraph 3.3.8).

(3) Council be recommended to approve the addition of £1,995k on the Disabled Facilities Grant funded scheme to reflect the latest grant funding available (see paragraph 3.3.1).

26 RETENDER OF THE EXCHEQUER SERVICES CONTRACT
Report DRR18/011

This report summarised the outcome of the soft market testing exercise undertaken by officers and the procurement approach for the retendering of the Exchequer Services contract. The current contract with Liberata ended on 31st March 2020.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 5th July 2018; the Committee had requested that the proposed decision be considered by the Contracts and Commissioning Sub-Committee at its meeting on 17th July.

RESOLVED that

- (1) The outcome of the soft market testing exercise be noted.**
- (2) The retendering of the Exchequer Services contract be approved for the reasons set out in the report and in accordance with section 4 of the report, subject to the views of the Contracts and Commissioning Sub-Committee, with any subsequent changes being approved by the Director of Finance in consultation with the Director of Human Resources and with the agreement of the Resources, Commissioning and Contract Management Portfolio Holder.**
- (3) The Contract term be agreed as a period of 8 years with an option to extend for a further period of up to 4 years (based on a 2 plus 2 option) as set out in Section 6 of the report.**
- (4) It is noted that officers have explored the options to add in additional services and remove existing services to the contract; an optional price will be obtained for the additional services as set out in section 4.3 of the report.**
- (5) The Web Recruitment Module of the core ResourceLink system will not be renewed and will be replaced with a new stand-alone platform procured via the ESPO Framework as set out in Section 4.5 of the report.**
- (6) The core HR Payroll and Pensions System be extended with NGA until 30 June 2023 at a cost of £468k, which will be met within the current service budget for the reasons set out in section 4.10 of the report.**
- (7) The Pensions system with Aquila Heywood be extended until 30 June 2023 at a total cost £348k which will fall within the current budget for the reasons set out in section 4.11 of the report.**

27 BROMLEY LOCAL INTERMEDIATE HOUSING INCOME THRESHOLDS REVIEW
Report DRR18/011

The report sought Members' agreement to raise the existing local income thresholds for 1-3 bedroom units for intermediate housing to reflect changes primarily in house prices over the past 3 years (increases of 30% (not 40% as stated in the report) on average for one and two bedroom units in lower quartile house prices).

Intermediate housing was defined as sub-market housing available to people on moderate incomes who could not afford to buy or rent housing generally available on the open market. Intermediate housing could take the form of shared ownership, low cost home ownership or sub market rented housing.

The report had been considered by the Development Control Committee on 21st June 2018.

RESOLVED that

(1) The amended local upper limit intermediate housing (intermediate ownership) household income thresholds for 1, 2 and 3 bedroom units be as follows:

1 bedroom units £55,000

2 bedroom units £68,800

3 bedroom units £73,400

4 bedroom units apply GLA household upper limit of £90,000 to 4 bedroom units (intermediate ownership)

(2) The GLA household upper limit of £60,000 applies to intermediate rent products.

(3) The amended Addendum to accompany the Council's Supplementary Planning Documents on Affordable Housing (2008) and Planning Obligations (2010) be as attached at Appendix 2 and 3 of the report.

**28 THE EVALUATION AND PROPOSAL TO EXTEND THE
DISCHARGE TO ASSESS PROCESS
Report CS18146**

The Executive considered an evaluation of the Discharge to Assess (D2A) pilot and recommendations for the next steps. The scheme sought to reduce delayed transfers of care, and, following a question from a visiting Member, it was confirmed that it was intended that it would be extended to everyone who left hospital into a social care pathway to achieve maximum benefits.

The report had been scrutinised by the Adult Care and Health PDS Committee at its meeting on 27th June 2018.

RESOLVED that

(1) The drawdown of £304k from the Better Care Fund (BCF) underspend to support the extension of the Discharge to Assess pilot, as set out in Paragraphs 3.5 to 3.7 of the report , which will deliver full year cashable savings of £419k from 2019/20 be agreed as set out in paragraph 5.6.

(2) Update reports including any legal or procurement implications identified by the D2A Programme Board associated with mainstreaming D2A activity be brought back to the Executive as required.

29 SCHOOLS BASIC NEED CAPITAL PROGRAMME
Report ED18060

The Executive considered a report updating them on capital schemes included within the Council's Basic Need Capital Programme with a project value over £1m. The Basic Need Capital Grant was received from the Department for Education and supported the delivery of sufficient school places.

RESOLVED that

- (1) The updated Basic Need Programme be agreed as set out in Appendix 3 to the report, subject to Full Council approval.**
- (2) That an increase to the Basic Need capital scheme be agreed of £604k to reflect the additional SEND Provision capital grant allocation as detailed in paragraph 3.3 and adjustment to the funding (-£8k) provided by the DfE for the MUGA at Trinity CE Primary School.**
- (3) That approval be given to the fully costed appraisal for the new schemes at Bromley Trust Academy, Pickhurst Junior School and Red Hill Primary School in addition to the projects outlined in the previous reports agreed by the Executive on 2 April 2014, 20th May 2015, 23 March 2016 and 19 July 2017 as set out in Appendix 2 to the report.**
- (4) That, where required, funding be delegated to schools for local delivery subject to there being sufficient mechanisms in place to control expenditure and ensure delivery of outcomes.**
- (5) That the Executive notes that schools will be submitting planning applications in association with these works.**

30 CIVIC CENTRE PROGRAMME AND OFFICE
ACCOMMODATION PROPOSALS
Report DRR18/036

The report updated Members on the latest proposals for office accommodation at the Civic Centre and the Central Depot, and sought approval to appoint consultants to undertake a feasibility study and to dispose of Ann Springman and Joseph Lancaster Halls.

The report had been scrutinised by Executive, Resources and Contracts PDS Committee on 5th July 2018; the Committee had commented that there should be wider consultation on the proposals, and the Leader provided reassurance that this concern had been addressed.

RESOLVED that

- (1) The scope of work proposed for the feasibility study for the Civic Centre and Central Depot be approved.**

(2) The appointment of consultancy services from the ESPO Property, Building and Infrastructure Advice and Management Services Framework to carry out a feasibility study for the proposed works to the Civic Centre and Central Depot as outlined in the report be approved.

(3) The allocation of £122.2k from the £14.1m held in the Capital Programme for Civic Centre Development Strategy be approved.

(4) The disposal of Ann Springman and Joseph Lancaster Halls (AS/JL) on the basis outlined in paragraphs 3.15 – 3.17 of the report be approved.

(5) The marketing costs of £65k be funded from the future capital receipts that may be generated from the disposal of the site.

(6) The commissioning of consultancy services for the disposal of Ann Springman and Joseph Lancaster Halls be approved, the costs of which will be deducted from the capital receipt.

31 CENTRAL LIBRARY/CHURCHILL THEATRE: DEFECTIVE TILING
Report DRR18/037

The Executive considered issues relating to the defective tiling at the Central Library/Churchill Theatre. It was proposed that temporary works would be carried out which would eliminate the need for hoarding/scaffolding and reduce the risk to the public whilst a permanent solution was identified and other building issues addressed.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 5th July 2018.

RESOLVED that

(1) Funding of £427k be approved from the earmarked reserve for Infrastructure Investment to undertake temporary works.

(2) The procurement route outlined in paragraphs 8.1 and 8.2 be approved.

(3) It is noted that a further report will be brought back to the Executive to up-date Members on remedial works required to the building.

(4) It is noted that, subject to (3) above, Officers may be instructed to review the future of the building and to consider its disposal and reconstruction elsewhere in the context of the town centre regeneration programme.

(5) Delegated authority be given to the Project Manager to authorise variations against the construction and/or surveys within the 15% contingency tolerances.

32 DEPOT STRATEGY - CAPITAL WORKS
Report ES18032

The waste management, street cleansing and grounds maintenance contracts were being re-tendered with the new contracts due to commence in April 2019. In preparation for this, a strategic review of the Council's depots had been undertaken in order to provide cost-effective and flexible facilities based on a contract structure where the contractor was able to self-provide modular buildings and storage facilities, reducing the Council's ongoing costs.

An assessment of the condition of these depots had been carried out and a range of essential capital works has been identified including the replacement of hard standings and demolition of dilapidated buildings. At the larger depots, particularly those associated with waste management, the improvements would help to maintain site safety and environmental compliance as well as sustaining fitness-for-purpose throughout the duration of the contracts. The report therefore recommended that the sum of £6.5m was approved to carry out the identified capital works.

The report had been scrutinised by the Environment and Community Services PDS Committee at its meeting on 10th July 2018; a visiting Member reported that the Committee had suggested an amendment to the recommendation about delegating authority to the Programme Manager to authorise variations against the construction and/or consultancy contracts, proposing that the delegation be exercised by the Executive Director. It was confirmed that the proposed delegation to the Programme Manager was standard Council practice, and that the Programme Manager would be given a very clear brief to achieve best value and would be fully accountable to the Portfolio Holder and senior officers.

RESOLVED that

(1) Council be recommended to approve the addition of the scheme for Depot Improvement Works to the capital programme, with a total cost of £6.5m, to be financed as set out in paragraph 5.5 of the report.

(2) Authority be delegated to the Programme Manager to authorise variations against the construction and/ or consultancy contracts within the 10% tolerances, with the Programme Manager accountable to the Council's budget holder.

(3) An additional 10% contingency of £587k be approved for any additional depot works that are identified through the negotiation process for the Environment contract.

(4) Authority be delegated to use the additional 10% funding for depot works to the Executive Director of Environment and Community Services in consultation with the Environment and Community Services Portfolio Holder.

(5) A suitable framework be utilised for the appointment of consultancy services.

(6) The procurement of contractors for works as outlined in the report be approved.

33 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN (LGSCO) PUBLIC REPORT
Report CS18149

The Local Government and Social Care Ombudsman (LGSCO) had issued a public report following the upholding of a complaint against the Council regarding the provision of Adult Social Care, finding maladministration causing injustice. The LGSCO report recommended that the Council pay compensation of £2,865 to reflect the time, trouble and distress it had caused the service user and his mother, and to take a number of steps to improve services for others in the future.

It was confirmed that these steps had already been implemented, or were in the course of being implemented, which the LGSCO had recognised. The Leader added that he would write to the complainant with a personal letter of apology.

RESOLVED that the report be accepted and the proposed compensation payment approved.

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

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

35 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**

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36 EXEMPT MINUTES OF THE MEETING HELD ON 21ST MAY 2018

The exempt minutes of the meeting held on 21st May 2018 were confirmed.

37 CULTURE PROJECTS - CONTRACT AUTHORISATIONS

The Executive authorised a number of contract variations to ensure that capital projects were delivered efficiently.

38 GATEWAY 0 REPORT: REQUEST FOR A TWO YEAR EXTENSION ON CURRENT CONTRACTS AND FUTURE SERVICE REDESIGN AND TENDERING PROJECT - DOMICILIARY CARE
Report CS18147

The Executive approved an extension to the current domiciliary care framework.

39 CAPITAL PROGRAMME - APPENDIX E

The Executive noted Appendix E to the Capital Programme report on capital receipts.

The Meeting ended at 7.16 pm

Chairman