

## **EXECUTIVE, RESOURCES AND CONTRACTS POLICY DEVELOPMENT AND SCRUTINY COMMITTEE BRIEFING**

Notes of the Conference Call held at 7.00 pm on 26 March 2020

### **Present:**

Councillor Simon Fawthrop (Chairman)  
Councillor Christopher Marlow (Vice-Chairman)  
Councillors Gareth Allatt, Julian Benington,  
David Cartwright QFSM, Mary Cooke, Ian Dunn,  
Nicky Dykes, Robert Evans, Will Harmer,  
Michael Rutherford, Stephen Wells and Angela Wilkins

### **Also Present:**

Councillor Graham Arthur, Portfolio Holder for Resources,  
Commissioning and Contracts Management  
Councillor Kira Gabbert, Executive Assistant for  
Resources, Commissioning and Contracts Management  
Councillor Colin Smith, Leader of the Council  
Councillor Gary Stevens

### **130 APOLOGIES FOR ABSENCE FROM THE CALL**

Councillor Mellor submitted retrospective apologies.

The Chairman thanked all those who had joined the conference call briefing, expressing the hope that other PDS Committee would be able to implement similar arrangement to enable pre-decision scrutiny of decisions during the COVID-19 emergency.

It was noted that Councillor Gary Stevens (who had joined the call) was investigating options for conference calls and virtual meetings going forward. The ability to involve the public in the scrutiny process was central to this work.

### **131 DECLARATIONS OF INTEREST**

Councillor Fawthrop declared an interest as an employee of British Telecom.

In respect of Minute 140 (Item 12), Councillor Benington declared that he was a Trustee of Biggin Hill Memorial Trust. Councillor Benington left the meeting during discussion of the item.

Councillor Rutherford declared a pecuniary interest in Minute 136(7) – Item 7 on the Executive Agenda. Councillor Rutherford dropped out of the call for the duration of this item.

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**132 MINUTES OF THE EXECUTIVE, RESOURCES AND CONTRACTS PDS COMMITTEE MEETING HELD ON 5 FEBRUARY 2020 (EXCLUDING EXEMPT ITEMS)**

The Minutes from the meeting held on 5<sup>th</sup> February 2020, were noted and no concerns were raised. It was noted that the minutes would need to be approved at the next scheduled meeting.

**133 MATTERS OUTSTANDING AND WORK PROGRAMME  
Report CSD20057**

The report setting out matters outstanding from previous meetings and the proposed work plans for 2019/20 and 2020/21 was noted.

**134 FORWARD PLAN OF KEY DECISIONS**

The Forward Plan of Key Decisions covering the period March 2020 to June 2020 was noted.

**135 RESOURCES, COMMISSIONING AND CONTRACTS  
MANAGEMENT PORTFOLIO - PRE-DECISION SCRUTINY**

Members participating in the briefing gave their views on a report entitled **CAPITAL PROGRAMME MONITORING 2019/21 Q.3** where the Resources, Contracts and Commissioning Portfolio Holder was recommended to take a decision and all present endorsed the Portfolio Holder noting and confirming the changes agreed by the Executive on 12<sup>th</sup> February 2020.

In response to a question the Director of Finance clarified that £15m was being transferred from the Capital Programme to support the Investment Fund. Whilst housing was a priority not funds had yet been committed.

**136 REVIEW OF EXECUTIVE REPORTS**

Members participating in the briefing gave their views on the following reports seeking decision by the Leader of the Council under the revised decision making arrangements agreed by the Urgency Committee on Thursday 19<sup>th</sup> March 2020:

**(1) BUDGET MONITORING 2019/20  
Report FSD20036**

The report provided the second budget monitoring position for 2019/20 based on expenditure and activity levels up to the end of December 2019. The report also highlighted any significant variations which would impact on future years as well as any early warnings that could impact on the final year end position.

Members considered the supplementary paper that had been circulated by the Director of Finance earlier in the day. This set out details of the financial support to local government in response to the COVID-19 emergency. Introducing the report, the Director of Finance explained that the supplementary report advised Members of some of the changes being implemented as part of the national response to the emergency. Action was being taken to support the call centre in dealing with enquiries and the website would be updated. As a result of staff self-isolating there were fewer call centre staff and consequently the Council was increasingly encouraging contact via the website.

Members discussed whether, under the current circumstances, it would be possible for residents to defer the payment of Council Tax so they effectively paid from June 2020 to March 2021. The Director of Finance confirmed that there would be no financial penalty for those who deferred their Council Tax payments, although it had to be recognised that the requirement to pay Council Tax remained and that these were interim changes and would need to be kept under review. Those residents who were not financially impacted by the current emergency were being encouraged to continue to make their usual Council Tax payments.

A Member suggested that it would be helpful to remind residents across the Borough that local ward councillors could be contacted for help and support where necessary. It was also suggested that there should be wider dissemination of the various options available to residents as there were some residents, particularly those who were more vulnerable, who may not have access to the website.

**Members participating in the briefing were agreeable that the Leader:**

- (a) consider the latest financial position;**
- (b) note that a projected net overspend on services of £392k is forecast based on information as at December 2019;**
- (c) consider the comments from Chief Officers detailed in Appendix 2;**
- (d) note a projected variation of £702k credit from investment income as detailed in sections 3.5 and 3.6;**
- (e) note a projected increase to the General Fund balance of £798k as detailed in section 3.3;**
- (f) consider the full year cost pressures of £6.6m as detailed in section 3.4;**
- (g) note the return of £115k to the 2019/20 Central Contingency relating to additional resources due to a delay in recruitment as detailed in para. 3.2.2;**

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- (h) agree to the release of £500k debit from the 2019/20 Central Contingency relating to an IBCF allocation in Adult Social Care as detailed in para. 3.2.3;**
- (i) agree to the release of £365k from the 2019/20 Central Contingency relating to Tackling Troubled Families as detailed in para. 3.2.4;**
- (j) agree to the release of £52k from the 2019/20 Central Contingency relating to Family Group Conferences as detailed in para. 3.2.5;**
- (k) agree to the release of £79k from the 2019/20 Central Contingency relating to refurbishment work of North Lodge as detailed in para. 3.2.6;**
- (l) recommend to Council that a sum of £2,531k for New Homes Bonus be set aside as a contribution to the Housing Investment Fund reserve as detailed in para. 3.2.8;**
- (m) agree that a sum of £250k is set aside as an earmarked reserve for Housing feasibility and viability as detailed in section 3.2.9 of the report to be met from underspends in the 2019/20 central contingency sum;**
- (n) subject to approval of (m), agree that the use of the monies are delegated to the Director of Housing, Planning, Property and Regeneration with the agreement of the Resources, Commissioning and Contracts Management Portfolio Holder and the Renewal, Recreation and Housing Portfolio Holder;**
- (o) agree the allocation of £200k from the Better Care Fund to offset pressures in Adult Social Care as detailed in paragraph 3.2.10**
- (p) Members are requested to agree a loan of up to £3.6m, funded through treasury management funds, on the basis of a 50% LTV. Further details are included within the supplementary information on part two of the agenda;**
- (q) Subject to approval of (p) above, delegate the final due diligence work to the Director of Finance and Director of Corporate Services with the agreement of the Portfolio Holder for Resources, Commissioning and Contract Management.**
- (r) identify any issues that should be referred to individual Portfolio Holders for further action.**
- (s) Note the additional one off Government 'Hardship Fund' grant of £1,841,229;**

- (t) Agree the utilisation of the grant funding to increase the council tax support paid by the Council by £150 (equivalent annual cost), with a corresponding reduction in the claimants contribution;**
- (u) Agree that the balance of funding remaining is set aside to increase the Council Tax Support Hardship fund;**
- (v) Subject to approval of (s) to (u) above agree to delegate the utilisation of any additional funding to the Director of Finance with the agreement of the Portfolio Holder for Resources, Commissioning and Contract Management;**
- (w) Note the additional Government funding of £7,572,304 to respond to COVID-19 pressures including care for the vulnerable;**
- (x) Agree to delegate the utilisation of the additional funding to the Chief Executive with any single financial commitment of over £100k being in agreement with the Leader of the Council;**
- (y) Note the changes to support businesses funded from Government Section 31 Grant as detailed in section 3.**

**(7) PROVISION OF MAIL SERVICES VIA CROWN COMMERCIAL SERVICES FRAMEWORK RM6017  
Report CSD20058**

The report sought approval for the London Borough of Bromley to enter into the procurement process, as part of the London Postal Board consortium, for the delivery of inbound and outbound mail services via the Crown Commercial Services (CCS) Framework RM6017. As part of the London Postal Board consortium the London Borough of Bromley was able to benefit from the advantageous discounted rates for Collection and delivery of Letters, Large Letters and Parcels including to International Destinations that could be obtained through Lots 3 and 4. The Council currently had a contract for Mail Services with Royal Mail. The contract, which had an estimated value of £170k per annum was due to end on 13<sup>th</sup> September 2020. The Contract was procured through the CCS Framework RM1063 by the London Postal Board Consortium, a partnership of 22 local authorities, benefiting from reduced procurement costs and beneficial rates. The London Postal Board was planning to commence procurement via a compliant CCS framework, for a new contract to commence on 14<sup>th</sup> September 2020 (or as soon as possible thereafter).

**Members participating in the briefing were agreeable that the Leader:**

- (a) Approve the request to participate in the Framework procurement exercise (RM6017) for Lots 3 and 4 to determine a contract supplier of inbound and Outbound mail services planned to commence from**

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**September 2020 (or as soon as possible thereafter) on a potential 3+2+2 basis. The annual value of the contract is circa. £170k which equates to a whole life value of £1,190k over the proposed seven year option.**

- (b) Note that the original timeline for the procurement process has been delayed owing to the framework not being ready for publication. The current Public Health situation is likely to cause further delay. Discussions are ongoing between the LPB and CCS to finalise the procurement timetable.**
- (c) Delegate authority to the Director of Housing, planning and Regeneration to extend the current arrangements, via a suitable variation to the existing contract, for a further period estimated at up to 12 months at a value of £170k.**

## **137 DISCUSSION WITH THE LEADER**

[During this item, at 8pm, the Members who had joined the call paused to join with the “#ClapforOurCarers” movement, in recognition of all staff working across the NHS and in other Key Worker positions.]

The Leader of the Council, Councillor Colin Smith, joined the call to respond to questions from the Committee. Councillor Smith gave a brief introduction highlighting that as a result of COVID-19 the nation was experiencing unprecedented and rapid changes and challenges and it was clear that the pandemic in the United Kingdom had not yet reached its peak.

Where Members had coordinated and submitted questions on behalf of residents, these had been responded to as quickly as possible and in as much detail as possible. Bromley was in a good position compared to some other local authorities. Efforts were being made to update the website as often as possible.

Options for keeping Members of the Council updated on developments were discussed. Members of the Committee were conscious that there should not be an additional burden on already stretched staff. Consequently, Councillor Cooke proposed that the Democratic Services Manager be nominated as the single point of contact for Councillors. The response to any questions submitted by Councillors could then be co-ordinated and all councillors would be copied in when the reply was sent. All questions from councillors and the answers provided would be uploaded onto the Councillors Team Site (on SharePoint) for ease of reference. The proposal was seconded by Councillor Fawthrop and unanimously agreed by the Members taking part in the briefing.

In relation to those residents that had put themselves forward as volunteers, the Council had received offers of help from in excess of 3000 people. The COVID-19 Officer Response Team were currently categorising these

volunteers in terms of those who had valid DBS checks, those with driving licenses etc. Everything was being put in place to drive this initiative forward and any volunteers would be contacted within the next few days.

Members discussed the growing issue of bonfires and associated anti-social behaviour. There were fewer staff within waste services and consequently there had been a reduction in the regularity of garden waste collections. Colleagues within Environmental Health Services were aware of the reported issues and the situation was being monitored.

The Leader recognised that as a result of the enforced changes to waste collections there would be a reduction in levels of recycling however service recovery plans were being put in place.

Members discussed the impact of COVID-19 in relation to loss of revenue and the Leader provided assurances that the situation was being closely monitored by Officers and that the Council contingency reserves planning would stand us in good stead financially, were the situation to deteriorate markedly.

In relation to staff affected by the closure of council premises, the Leader reported that most of the Council's staff were currently working from home via remote connection. It was noted that at the end of the current COVID-19 emergency there would need to be a detailed review of the revised working practices and an analysis of staff productivity. It was possible that the lessons learned from the rapid and unprecedented response to COVID-19 could inform the future shape and delivery of Council services.

The Portfolio Holder for Resources, Commissioning and Contracts Management referred the changes in working practices that has been implemented during the course of the week as a "game changer". In the region of 1200 staff a day were accessing the system remotely and in addition many staff had put themselves forward to fill gaps in front line services resulting from staff sickness and staff being required to self-isolate. Staff were now working very differently and the Council's partnership with BT had been crucial.

The Leader emphasised that the effort of all staff across the entire Council over the past few weeks had been phenomenal. The work being done by staff within Adults Services, Children's Services and Environment was particularly noted. The Leader highlighted that the past few weeks had proved beyond doubt that the Council's greatest asset was its staff.

The Chairman and all other Members joined the Leader and the Portfolio Holder for Resources, Commissioning and Contracts Management in expressing their thanks and appreciation to all staff across the Council for their response to the COVID-19 emergency.

**PROPOSED That the Democratic Services Manager be nominated as the single point of contact for Councillors. The response to any questions submitted by Councillors could then be co-ordinated and all councillors would be copied in when the reply was sent. All questions from councillors and the answers provided would be uploaded onto the Councillors Team Site (on SharePoint) for ease of reference.**

**138 ANNUAL SCRUTINY REPORT 2019/20  
Report CSD20049**

The Council's Constitution required that a report is made each year to Full Council which summarised work carried out by Policy Development and Scrutiny (PDS) Committees. The report presented the latest draft of the 2019/20 report, including contributions from PDS Chairmen summarising work of the Committees.

Members recognised that the report had been compiled prior to the escalation of the COVID-19 emergency and therefore some parts of the report were now out of date. The Chairman highlighted that the report was a reflection of the whole of the 2019/20 Municipal Year.

It was noted that there was a typing error on page 47 of the report.

A Member highlighted that at the beginning of the 2019/20 Municipal Year the Government had issued statutory guidance relating to overview and scrutiny. This had been circulated to all councillors. The Director of Corporate Services confirmed that a review of Bromley's overview and scrutiny arrangements undertaken at the time the statutory guidance was issued had demonstrated that the arrangements complied with the majority of the recommendations outlined in the guidance. It was however agreed that it would be helpful to have an agenda item on this issue in the new municipal year.

**MEMEBRS EXPRESSED A VIEW THAT**

- 1. The report be noted and the suggested amendments made, and**
- 2. That the Committee be recommended to consider the statutory guidance in relation to Overview and Scrutiny in the new Municipal Year.**

**139 PART 2 (Report exempt from publication)  
BIGGIN HILL MEMORIAL MUSEUM  
Report HPR20/002**

(Having declared a pecuniary interest, Councillor Benington left the call and took no further part in the discussion)

As requested by the Chairman of the Executive, Resources and Contracts PDS Committee a brief report was presented which provide an update on specific issues outlined in the Part 2 (exempt from publication) report.

In summary, Members noted that the Council had been the recipient of all grants in relation to the Biggin Hill Memorial Museum. Consequently the Council was still making payments from this grant funding on behalf of the Museum and this was likely to continue until July 2021.

Members noted that there had been some very minor cost to the Council as a result of some outstanding liabilities in respect of the building. However this matter had now been settled.

#### **140 ANY OTHER BUSINESS**

Members noted that Councillor Gary Stevens was working with the Council's IT department to develop a solution to enable virtual meetings going forward. It was suggested that it would be helpful to hold a virtual Adult Care and Health Briefing prior to decisions being taken on or after 1<sup>st</sup> April 2020.

The Chairman thanked all participants for dialling into the briefing conference call.

The Meeting ended at 8.28 pm

Chairman