

EXECUTIVE

Minutes of the meeting held on 24 November 2021 starting at 7.00 pm

Present:

Councillor Colin Smith (Chairman)
Councillor Kate Lymer (Vice-Chairman)
Councillors William Huntington-Thresher, Peter Morgan,
Michael Rutherford and Diane Smith

Also Present:

Councillor Angela Wilkins

323 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Angela Page.

Cllr Christopher Marlow joined the meeting online.

324 DECLARATIONS OF INTEREST

Cllr William Huntington-Thresher declared an interest as advisor to the Orpington BID Board in relation to minute 336 (Orpington Walnuts regeneration Programme.)

325 QUESTIONS

Two questions had been received for written reply – the questions and answers are set out in Appendix A to these minutes.

326 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 20 OCTOBER 2021

RESOLVED that the minutes of the meeting held on 20th October 2021 be confirmed.

327 BUDGET MONITORING 2021/22

Report FSD21075

The report provided the second budget monitoring position for 2021/22 based on expenditure and activity levels up to the end of September 2021. The report 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. The report also provided an update on the COVID grant position.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 18 November 2021 and the Committee supported the recommendations.

RESOLVED that

- (1) The latest financial position be noted.**
- (2) It is noted that a projected net overspend on services of £2,458k is forecast based on information as at September 2021.**
- (3) The comments from Chief Officers detailed in Appendix 2 to the report be noted.**
- (4) The projected reduction to the General Fund balance of £345k as detailed in section 3.4 of the report be noted.**
- (5) The full year cost pressures of £10.67m as detailed in section 3.5 of the report be noted.**
- (6) The release of £30k from the 2021/22 Central Contingency relating to local elections as detailed in paragraph 3.2.2 of the report be agreed.**
- (7) The release of £40k from the 2021/22 Central Contingency relating to Crystal Palace Park as detailed in paragraph 3.2.3 of the report be agreed.**
- (8) The release of £587k from the 2021/22 Central Contingency relating to Waste services as detailed in paragraph 3.2.4 of the report be agreed.**
- (9) The release of £170k from the 2021/22 Central Contingency relating to Legal Services as detailed in paragraph 3.2.5 of the report be agreed.**
- (10) The release of £91k from the 2021/22 Central Contingency relating to Property Valuation as detailed in paragraph 3.2.6 of the report be agreed.**
- (11) The release of £213k from the 2021/22 Central Contingency relating to Public Health grant increase as detailed in paragraph 3.2.7 of the report be agreed.**
- (12) The release of £89k from the 2021/22 Central Contingency relating to Obesity Grant as detailed in paragraph 3.2.8 of the report be agreed.**
- (13) The release of £69k from the 2021/22 Central Contingency relating to COVID Recovery grant as detailed in paragraph 3.2.9 of the report be agreed.**
- (14) The release of £500k Education Risk Reserve as detailed in paragraph 3.3 of the report be agreed.**
- (15) The COVID allocation and expenditure in Appendix 7 of the report be noted.**

328 CAPITAL PROGRAMME MONITORING 2ND QUARTER 2021/22
Report FSD21071

The Executive received a report summarising the current position on capital expenditure and receipts following the 2nd quarter of 2021/22 and seeking the Executive's approval to a revised Capital Programme.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 18 November 2021 and the Committee supported the recommendations.

RESOLVED that

(1) The report be noted, including a total re-phasing of £339k from 2021/22 into future years, and the revised Capital Programme be agreed.

(2) The following amendments to the Capital Programme be approved (as in paragraph 3.3 to the report) -

- (i) Increase of £57k in relation to Formula Devolved Grant;**
- (ii) Increase of £375k for Schools Capital Maintenance;**
- (iii) £12k decrease in relation to the Scadbury Park Moated Manor Scheme;**
- (iv) Increase of £130k for additional costs on the Anerley and Bushell Way Housing Scheme;**
- (v) Increase of £98k for additional costs on the Burnt Ash Lane Housing Scheme;**
- (vi) Increase of £536k for additional costs related to the Liquid Logic implementation.**

(3) Council be recommended to approve the increase of £1,184k to the Capital Programme (as in paragraph 3.3 to the report.)

329 COUNCIL TAX SUPPORT/REDUCTION SCHEME 2022-23
Report FSD201068

The report advised the Executive of the result of the public consultation exercise on the proposed Council Tax Support/Reduction Scheme for 2022/23 and sought approval for the Scheme to be forwarded to full Council. A Member was disappointed that the response to the consultation was not higher, but officers would consider this and attempt to generate a better response next year.

Officers would provide Cllr William Huntington-Thresher with further details on the breakdown of current claimants (Table 2 in the report.)

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 18 November 2021 and the Committee supported the recommendations. The Chairman of the PDS Committee, Cllr Christopher Marlow, pointed out to the Executive that Bromley's scheme was already

more generous than some in London, and in the consultation responses there was not a clear majority in favour of making it more generous.

RESOLVED that

(1) The updated Impact Assessment at Appendix 1 to the report be noted.

(2) The responses to the public consultation exercise at Appendices 2 & 3 to the report be noted.

(3) It is noted that the Council Tax Support/Reduction scheme for 2022/23 retains the calculation of entitlement for working-age claimants on 75% of the household's Council Tax liability - thereby the maximum assistance provided to a claimant of working-age is 75% of his/her Council Tax liability.

(4) Council be recommended to approve the Council Tax Support/Reduction scheme for 2022/23 including maintaining the Discretionary Hardship Fund at £200k.

330 ACADEMY INFORMATION SYSTEM AND ASPIEN CORPORATE DEBT MANAGEMENT SYSTEM SOFTWARE LICENSE AND MAINTENANCE ARRANGEMENTS

Report FSD21072

In July 2018, officers had recommended to the Executive that the future provider of the Exchequer Service should undertake a health check of several IT systems used to deliver the service. The Executive noted that due to the complexities of a number of the systems and the need to provide sufficient time to migrate high risk data, these health checks should be carried out within twelve months of the contract start date to confirm the value for money options going forward.

The Exchequer Services Contract commenced on 1st April 2020; however the review of the Academy Information System and the Aspien Corporate Debt Management System had not been possible due to the impact of the pandemic.

The Academy Information System was the core system for the administration of Housing Benefits and Council Tax Support. It was also the key system for the collection of Council Tax and Business Rates. The system enabled the Council's contractors, Liberata, to manage financial transactions in excess of £432 million annually. The system also supported other functions through the purchase of additional modules as required. As with other software systems, the Council had a rolling agreement (unless notice was given) for which it paid an annual fee for the cost of licences, support and maintenance for the platform and associated modules.

The Academy Information system continued to meet the Council's requirements and it was expected that the system would continue to meet business needs beyond March 2022.

The Aspien Corporate Debt Management System was used by the Council's contractors, Liberata, in conjunction with the Council's financial system Oracle R12 to bill and collect in the region of £60 million each year and the agreement was due to expire in January 2022.

The Council would be changing its financial system to Oracle Fusion in April 2022, following which it would be undertaking a full review of the debt recovery module, Advance Collections, to consider if it should be used in place of the Aspien Corporate Debt Management System.

This report sought authorisation to renew the licence agreements for both the Academy System and the Aspien Corporate Debt Management System beyond 2022. The cumulative value of these extensions made this an Executive decision.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 18 November 2021 and the Committee supported the recommendations.

RESOLVED that

(1) The renewal of the agreement for the Academy Information system until 1 April 2024 at an estimated annual cost of £163.24k be approved.

(2) The renewal of the agreement for Aspien Corporate Debt Management System until January 2024 at an annual cost of £9k be agreed.

331 PLATINUM JUBILEE CELEBRATIONS
Report HPR2021/062

Her Majesty the Queen's national Platinum Jubilee celebrations were planned to take place on 2nd to 5th June 2022. The London Borough of Bromley would be enabling street parties across the borough by waiving the street closure fee, taking part in the national lighting of the beacons and the Queen's Green Canopy, and delivering a cultural activity programme.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 18 November 2021 and the Committee had recommended that consideration be deferred until the next meeting in January 2022 to enable a more detailed and comprehensive report to be provided, setting out full criteria for the allocation of grants and more detailed proposals for a revised community grant ceiling.

RESOLVED that consideration of the report be deferred.

332 DEPOT CAPITAL INFRASTRUCTURE WORKS UPDATE
Report ESD20109

On 16th July 2018, the Executive approved a capital budget of £6.5m for infrastructure works across a range of depot locations to:

- Facilitate the outcomes of the strategic review and proposed reorganisation of waste and grounds maintenance depots across the borough (the Depot Improvement Programme);
- Facilitate contractors to self-provide flexible facilities via independent installation of modular structures and storage;
- Meet required standards for compliance with health and safety and environmental regulations, particularly at the waste sites;
- Facilitate potential future disposals of sites to be made surplus through the reorganisation, following completion of relevant improvements to the remaining sites;
- Improve current facilities to reduce significant current and ongoing maintenance costs and liabilities; and
- Facilitate works to enable subsequently appointed contractors to deliver services more effectively to residents across the Borough through depots that are fit for purpose.

Following the commencement of a suite of new environmental contracts in April 2019 that included waste services and grounds maintenance, the scope of the proposed works was reviewed to ensure the proposed works would facilitate the above aims effectively.

Design consultants were appointed to undertake site surveys, develop design proposals and further refine the scope with the input of stakeholders. The proposals for the works had been progressed to concept design stage (classified as Stage 2 under the Royal Institute of British Architects Plan of Work, which was an industry standard organisation of the design and construction process)

The report provided an update on the progress made towards the depot infrastructure works, and sought approval for the immediate progression of the critical works for safety and operational functionality and a review of the Depot Improvement Strategy.

The report had been scrutinised by the Environment and Community Services PDS Committee on 17 November 2021 and the Committee supported the recommendations.

RESOLVED that

(1) Progress of the design development be noted and the critical works for safety and operational functionality be progressed as detailed in the report.

(2) The critical works required at the two waste depots and Beaverwood Depot be progressed at a total estimated cost of £6.065m to be funded from the existing capital programme budget for the depot infrastructure works of £6.420m, and to reduce the capital programme accordingly.

(3) Proceeding to procurement be agreed for a suitable construction contractor via the use of the LCP Major Works framework at an estimated value of £4.35m, with an additional £435k delegated to the Project Manager, Capital Projects to be used as needed making the total estimated value up to £4.7m.

(4) It is noted that, as set out in paragraphs 3.17 to 3.20 of the report, procurement is in progress (under officer delegated authority) for urgent remedial works at an estimated total value of £350k funded from the agreed capital programme budget for depot infrastructure works.

(5) It is noted that, as set out in paragraph 3.21, due to urgency, the procurement of a replacement weighbridge will take place earlier than the depot infrastructure works procurement occurs.

(6) The progression of appropriate planning applications to be made in furtherance of the proposed works be agreed.

333 DISPOSAL OF DORSET ROAD INFANT SCHOOL

The Executive was asked to approve the property transaction for the disposal of the Dorset Road Infant School following the amalgamation of the school with Castlecombe Primary School.

The report had been scrutinised by the Children, Education and Families PDS Committee on 9th November 2021 and the Committee supported the recommendations.

RESOLVED that

(1) It is noted that the amalgamation of the Dorset Infant School and Castlecombe Primary School academies, operated by The Spring Partnership Trust, has been approved by the Department for Education - the new amalgamated school will be called Elmstead Wood Primary School and will be based at the Castlecombe Primary School site.

(2) The Director of Education be authorised to apply for and obtain formal consent from the Secretary of State for Education to dispose of the Dorset Road Infant School site.

(3) The disposal of the Dorset Road Infant School once the 125-year academy lease has been terminated, and the land has reverted to the Council, be authorised, subject to obtaining the requisite consent and approval of the Secretary of State for Education.

(4) The reinvestment of the capital receipt obtained from a disposal of the property at Dorset Road, estimated at £500,000, to improve the facilities at the Castlecombe Primary School site in accordance with Section 77 of the Schools Standards and Framework Act 1998 and Schedule 1 of the Academies Act 2010, be authorised.

(5) The Council's contribution to support the amalgamation of the schools be capped at the value of the capital receipt achieved from the disposal of the Dorset Road Infants School site be authorised.

(6) Authority be delegated for the Director of Education, in consultation with the Director of Corporate Services and Governance, Director of Finance and Director of Housing, Planning, Property and Regeneration, and the Portfolio Holder for Children Education and Families, to agree and settle the commercial terms of the disposal and to enter into all relevant legal agreements and any other ancillary legal documentation relating thereto and to deal with publicising, if appropriate, any Open Space Notices and considering representations received.

(7) It is noted that the Secretary of State for Education's consent to dispose of Dorset Road Infants School does not change the Local Plan designation of the site for education use and that any planning application relating to the site will have to demonstrate how relevant Development Plan policies, notably Local Plan Policy 27 Education and Policy 20 Community Facilities, have been addressed.

334 DESIGNATION OF THE COVERT CONSERVATION AREA, THE THRIFTS CONSERVATION AREA AND THE EXTENSION OF THE CHISLEHURST ROAD CONSERVATION AREA
Report HPR2021/055

This report recommended the designation of the Covert Conservation Area (shown at Appendix 1), the Thrifts Conservation Area (shown at Appendix 2) and the extension of the Chislehurst Road Conservation Area (shown at Appendix 3). The proposed boundaries were informed by an independent assessment and had been subject to public consultation between October and December 2020. Details of the representations received and how these representations have been addressed were set out in the report.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee on 16 November 2021 and the Committee supported the recommendations. The proposals had previously been supported by the Development Control Committee on 2nd November 2021. It was confirmed that both Committees had supported the inclusion of the four houses in The Covert that had originally been excluded in order to enhance the conservation area and protect against inappropriate development.

RESOLVED that the designation of the Covert Conservation Area (shown at Appendix 1) with the inclusion of the four houses originally excluded, the Thrifts Conservation Area (shown at Appendix 2) and the

extension of the Chislehurst Road Conservation Area (shown at Appendix 3) be approved.

335 PROVISION OF HOUSING AND LIBRARY IMPROVEMENT WORKS IN WEST WICKHAM TOWN CENTRE
Report HPR2021/059

The report summarised the RIBA Stages 0-3 work undertaken in relation to the site of West Wickham Library and Station Road car park in West Wickham and set out the options for the site, in order to seek a decision from Members.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee on 16 November 2021 and the Committee supported the recommendations.

The Leader thanked Lydia Lee, Assistant Director, Culture and Regeneration and her team for their work on developing this project.

RESOLVED that

(1) The RIBA Stages 0-3 work undertaken proposing the redevelopment of the library and Station Road Car Park sites for housing, the expansion of the library, public realm improvements and the adoption of a service road to provide access be noted.

(2) That Council be recommended to approve the addition of the scheme to the Capital Programme at an estimated cost of £9,641k (it is noted that this is the scheme cost, not the cost to the Council.)

(3) That Council be recommended to approve the financing of the scheme as set out in paragraph 10.8 of the report, including an internal loan from the General Fund to the Housing Revenue Account of £2,147k.

(4) The rent levels of the affordable housing be approved at London Affordable Rent (LAR) levels to utilise the GLA Building Homes for Londoners Grant.

(5) The undertaking of the adoption of the service road off Croft Avenue which is required for access to the scheme be approved.

(6) The spend of £173k to date, which is included in the capital scheme costs, be retained in the Housing Investment Fund earmarked reserve.

(7) The utilisation of £356k Section 106 contributions towards the affordable housing element of the proposals be approved.

(8) Approval to proceed to procurement for the design and build works contract at the end of RIBA Stage 4 with an estimated value of £8m be

delegated to the Director of Housing, Planning, Property and Regeneration in consultation with the Renewal, Recreation and Housing Portfolio Holder, noting that a contract award will be coming back to Committee.

(9) Authority be delegated to the Director of Housing, Planning, Property and Regeneration in consultation with the Director of Corporate Services and Governance and the Director of Finance to appropriate the affordable housing element of the site on completion of the construction works from planning purposes to housing within the Housing Revenue Account and any other appropriation.

(10) It is noted that the land appropriation value to the HRA of the affordable housing element of the site has been independently valued at £260k.

(11) It is noted that the Council is foregoing a potential capital receipt of £1,270k from the housing part of the site, for the development to continue in line with the recommendations, and to achieve the Temporary Accommodation savings and a new library.

**336 ORPINGTON WALNUTS REGENERATION PROGRAMME
(PART 1)**
Report HPR2021/061

To provide officers with a steer in relation to Members' preferred option for the provision of leisure as part of the Areli/Tikehau Capital development proposals at the Walnuts Shopping Centre in Orpington.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee on 16 November 2021 and the Committee supported the recommendations.

RESOLVED that the report be noted and feedback on the preferred option for the provision of leisure as part of the Areli/Tikehau Capital development proposals on an 'in principal decision' pending in the future be set out in part 2.

**337 PROCEED TO PROCUREMENT FOR AN INTEGRATED
SEXUAL HEALTH SERVICE**
Report ACH21-051

The London Borough of Bromley had a statutory duty to improve the health of the population and to provide local public health services. The specific responsibilities were set out in the Health and Social Care Act 2012 and associated regulations and included a mandated requirement for local authorities to provide or make arrangements to secure the provision of comprehensive open access sexual health services.

Currently, sexual health services in Bromley were provided by King's College Hospital NHS Foundation Trust (KCH), who delivered the Genitourinary Medicine (GUM) Service and Bromley Healthcare CIC (BHC) who delivered the Sexual Health Early Intervention Service.

While the current set up of co-location fully met the Council's statutory duty, the renewed specification would draw on the experience and benefits achieved through the transformation programme and further enhance patient experience with improved efficiencies.

The current contract with BHC was directly commissioned by the Council. However, the KCH contract was held by the London Borough of Lambeth who were the Sexual Health Sub-Regional Lead in South East London.

The current Contract with KCH held by Lambeth also included provision of an integrated service at Camberwell Clinic in Denmark Hill for Bromley residents. This element of the service was not included in this procurement and the Camberwell provision would continue to be part of the SEL contract held by Lambeth.

Both contracts were due to expire on 31 March 2023. It was proposed to create a more streamlined service by revising the current specification and by combining all elements of both contracts, except the Camberwell provision, into one single, integrated contract. The Camberwell provision for Bromley residents would remain as part of Lambeth Council's contract with KCH and was subject to the procurement decision made by the London borough of Lambeth.

The report sought approval to procure an integrated sexual health service from 1st April 2023 for a period of 5 years plus the option to extend for a further 2 years at an estimated cost of £1,455k per annum, with an estimated whole life value of a total of £10,185k. This duration of contract was designed to encourage interest from a wide range of organisations and to provide financial sustainability to the successful provider who would be expected to act as strategic lead for sexual health services in the borough.

The report had been scrutinised by the Adult Care and Health PDS Committee on 23 November 2021 and the Committee supported the recommendations.

RESOLVED that

(1) Approval be granted to proceed to procure an LBB held contract for an integrated sexual health service from 1 April 2023 for a period of 5 years plus the option to extend for a further 2 years at an estimated cost of £1,455k per annum, with an estimated whole life value of a total of £10,185k.

(2) Approval be granted for the continuation of provision at Camberwell Clinic in Denmark Hill under the contract held by Lambeth from 1st April 2023, subject to the procurement decision made by Lambeth Council.

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

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

339 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**

340 EXEMPT MINUTES OF THE MEETING HELD ON 20 OCTOBER 2021

The exempt minutes of the meeting held on 20th October 2021 were confirmed.

341 ORPINGTON WALNUTS REGENERATION PROGRAMME (PART 2)

The Executive considered part 2 details relating to the leisure options for the proposed scheme.

342 CAPITAL PROGRAMME MONITORING 2ND QUARTER 2021/22 - APPENDICES E & F

The Executive noted the part 2 Capital programme appendices.

The Meeting ended at 7.40 pm

Chairman