

EXECUTIVE

Minutes of the meeting held on 30 March 2022 starting at 7.00 pm

Present:

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

380 APOLOGIES FOR ABSENCE

There were no apologies for absence.

Councillor Christopher Marlow joined the meeting online.

381 DECLARATIONS OF INTEREST

There were no declarations of interest.

382 QUESTIONS

One question had been received for written reply – the answer is set out in Appendix A to these minutes.

383 TO CONFIRM THE MINUTES OF THE MEETINGS HELD ON 27 JANUARY AND 9 FEBRUARY 2022

RESOLVED that the minutes of the meetings held on 27th January and 9th February 2022 be confirmed.

384 BUDGET MONITORING 2021/22 Report FSD22032

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

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 24th March 2022 and the Committee had supported the proposals.

RESOLVED that

(1) The latest financial position be noted.

- (2) It is noted that a projected net overspend on services of £1,208k is forecast based on information as at December 2021.
- (3) The comments from Chief Officers detailed in Appendix 2 to the report be noted.
- (4) A projected reduction to the General Fund balance of £24k as detailed in section 3.4 to the report be noted.
- (5) The full year cost pressures of £11.884m as detailed in section 3.5 of the report be noted.
- (6) A provision of £350k be set aside to deal with a legal matter (see Part 2 of the agenda) to be met from the 2021/22 Central Contingency sum as detailed in paragraph 3.2.2 of the report.
- (7) The sum agreed at Council of £1m set aside in a Platinum Jubilee Parks earmarked reserve, funded from the 2021/22 Central Contingency, be noted as detailed in paragraph 3.2.3 of the report.
- (8) Council be recommended that a sum of £4.605m is set aside in a Contribution to Collection Fund Surplus Earmarked Reserve as detailed in paragraph 3.2.4 of the report.
- (9) Council be recommended that a sum of £2.900m is set aside in a Capital Fund earmarked reserve, funded from the 2021/22 Central Contingency as detailed in paragraph 3.2.5 of the report.
- (10) Council be recommended that a sum of £1.242m is set aside in the Housing Investment Fund earmarked reserve, funded from the 2021/22 Central Contingency as detailed in paragraph 3.2.6 of the report.
- (11) The release of funds from the central contingency be agreed as detailed in paragraphs 3.2.7 to 3.2.16 of the report.
- (12) The carry forward requests be agreed as detailed in paragraph 3.3 of the report.
- (13) The funding requirement of the Property Team be agreed as detailed in paragraph 3.10 of the report.
- (14) The COVID allocation and expenditure in Appendix 7 to the report be noted.

385 BASIC NEED PROGRAMME UPDATE
Report CEF22015

The report provided an update on the capital schemes included within the Council's Basic Need Programme.

The report had been scrutinised by the Children, Education and Families PDS Committee at its meeting on 15th March 2022 and the Committee had supported the proposals.

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) The allocation of an additional £981k of S.106 allocations to projects within the Basic Need Capital Programme be agreed as outlined in Appendix 2 to the report.**
- (3) The additional SEND Provision Capital Funding allocation of £2,451k received during 2021/22 for improving and expanding SEN and Alternative provision be noted.**
- (4) Agreement be given that the schemes at Farnborough Primary School, Marian Vian Primary School (Phase 2) and St John's CE Primary School be brought forward to the Projects in Delivery (Funded) Programme, that the existing allocation to fund secondary bulge classes be maintained and that a new contingency fund be set aside to support additional specialist provision, should it be required for the Council to meet its statutory duty and that two new accessibility schemes at Bishop Justus School and Chislehurst School for Girls (Appendix 1 to the report) be approved.**
- (5) 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.**
- (6) It is noted that schools will be submitting planning applications in association with these works.**

386 PROVISION OF HOLIDAY AND SATURDAY GROUP BASED SHORT BREAKS SERVICES - AUTHORISATION TO TENDER FOR A NEW CONTRACT
Report CEF20021

The contract for provision of Holiday and Saturday Short Breaks for Disabled Children was originally awarded to Riverside School in May 2010 following competitive tender. The purpose of this service was to provide meaningful and fulfilling activities for children and young people with a range of disabilities, while offering valuable respite for parents and carers. Studies showed that Short Breaks could provide a vital preventative service for families which could support family cohesion and guard against breakdown. Further contracts were awarded in 2012, 2015 and 2018 via exemption to competitive tendering due to the specialist nature of the service, with a cumulative value to date of over £1m. The current contract extension period commenced on 1 April 2021 and was due to end on 31 March 2023 with all existing contractual

options to extend further exhausted. The estimated annual value of the current contract was £196,057 p.a, with a whole life value, inclusive of the extension options used, of £968,753

In order to ensure a timely recommissioning of this service, for a vulnerable cohort of children and young people with disabilities and their families, it was proposed to reprocure this service during 2022 at an estimated annual value of £196,057 p.a. It was further proposed to offer an initial contract term of three years with two options to extend for periods of up to two years each, making a whole life contract term of seven years if both extension clauses were utilised. This would mean that the full potential contract term would be for seven years from 1 April 2023 – 31 March 2030. The approximate full life value of the service would consequently be £1,372,399.

The report had been scrutinised by the Children, Education and Families PDS Committee at its meeting on 15th March 2022 and the Committee had supported the proposals.

RESOLVED that

(1) The procurement strategy outlined in this report for a new contract for a Weekend and Holiday Short Breaks Service for Children with Disabilities be approved; it is proposed that the service will have an estimated annual value of £196,057 p.a. If the initial term (3 years) and both extension clauses (2 years plus 2 years) are utilised, the approximate full life value of the service will be £1,372,399. The new contract will commence on 1 April 2023 and terminate on 31 March 2030.

(2) It is noted that the results of the Prior Information Notice (PIN) that has been sent to providers, and further consideration of the risks to the service inherent in a formal tender for the continuation of the Holiday and Saturday Short Breaks service, will be considered and a Gateway 1 report seeking approval for the preferred procurement route will be presented at a later date.

387 AGREEMENT FOR THE USE OF VARIOUS TENANCY AGREEMENTS FOR BROMLEY OWNED HOUSING ASSOCIATIONS

Report HPR2022/017

As a result of the Council owning its own Housing Stock Officers were seeking formal approval for the Council to adopt the use of a variety of Tenancy Agreements for Bromley Owned Housing.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 16th March 2022 and the Committee had supported the proposals.

RESOLVED that

(1) Approval be given for Housing Officers to grant Tenancy Agreements to Bromley Residents residing in Bromley owned housing as set out in paragraph 3.10 of the report, subject to additional legal scrutiny of the proposals and a further report to Members six months after the issuing of the introductory tenancies.

(2) Authority be delegated to the Director of Housing, Planning & Regeneration in consultation with the Director of Corporate Services and Governance to finalise the Tenancy Agreements and implement and issue to individual tenants.

(3) It is noted that Officers are working with Campbell Tickell to produce a full suite of amended and/or new Policies and Procedures that will come back to the Executive in June/July 2022 that will support the Council's statutory obligations with regards to its own housing.

388 GATEWAY FOR PROCEEDING TO PROCUREMENT FOR ACCOMMODATION, SUPPORT AND TENANCY SUSTAINMENT SERVICES

Report HPR2022/019

The Council currently provided floating support and specialist accommodation-based support for ex-offenders. This specialist accommodation service had been provided by Hestia since 1 October 2016, offering supported accommodation for up to 9 ex-offenders and floating support for (up to) 100 tenants.

The 3 year contract at the value of £195k per annum was due to expire on 30 September 2019, however the Council enacted its option to extend the contract with the Provider for a further year, with an expiry date of 30 September 2020. The total contract value for the 4 years equated to approximately £780k.

In January 2020, the Renewal, Recreation and Housing Portfolio Holder approved a 6 month extension beyond term to 31 March 2021 for the Hestia contract, via exemption from competitive tendering, to enable the services to be amalgamated with Evolve Housing and put out to tender. However, due to service pressures because of Covid, the tender was delayed. In September 2021, the Renewal, Recreation and Housing Portfolio Holder agreed to the Hestia contract being extended for a further 12 months and with Hestia's agreement, the contract was extended to September 2022. The total contract value for the 5.5 years equated to £1,072K.

A counter proposal in respect of the Evolve Housing contract was incidentally received and accepted by the Council in August 2021. Therefore, the plan to amalgamate the respective Evolve and Hestia service contracts was curtailed.

This report was requesting authorisation to proceed to tender for the Accommodation, Support and Tenancy Sustainment Service.

The report had been scrutinised by the Children, Education and Families PDS Committee at its meeting on 15th March 2022 and the Committee had supported the proposals.

RESOLVED that

(1) Proceeding to a competitive tender, via a single stage, open procurement process, be approved for the provision of accommodation, support, and tenancy sustainment services to vulnerable people. It is proposed the contract will be for a period of five years, with the option to extend for a further two periods, of two years each.

(2) The estimated cost will be £234k per annum with a total contract value of £ 1,170k for the initial five year contract period and £2,106k for the full nine year period. The initial costs will be fixed for 5 years, but any further extensions will be subject to additional costs with an annual inflation rise in line with CPI, for the maximum period of 4 years.

(3) The current contract be extended for a further period of up to 6 months, should it be required, in the event that it is not possible to conclude award of contract and any mobilisation required prior to the end of the current contract. An extension of up to 6 months would be an estimated value of £95.5k, a cumulative whole life value of £1,170k.

389 CROYDON ROAD RECREATION GROUND - BANDSTAND RESTORATION
Report ESD20165

The Executive received a report outlining the restoration proposals for the Bandstand within Croydon Road Recreation Ground, Beckenham, and recommending that the scheme be added to the Council's Capital Programme to enable works to proceed.

The report had been scrutinised by the Environment and Community Services PDS Committee at its meeting on 21st March 2022 and the Committee had supported the proposals.

RESOLVED that

(1) The proposals for the Bandstand be approved at a cost of £236k including a contingency budget of £27k, and be added to the Capital Programme.

(2) It is noted that a five year maintenance plan has identified a liability of £18k which includes redecoration works to uphold the restored condition of the bandstand; this will be funded as set out in paragraph 3.13 of the report.

(3) Delegated authority be given to the Director of Environment and Public Protection to award contracts for the Bandstand Restoration following the tendering process.

(4) Delegated authority be given to the Assistant Director of Carbon Management and Greenspace to approve spend on contingency fund.

(5) The Executive records its thanks to the Friends of Croydon Road Recreation Ground and all the other groups involved in supporting this project through to fruition.

390 AWARD OF CONTRACT: PRIMARY AND SECONDARY INTERVENTION SERVICE (PART 1)
Report ACH22-007

The report sought approval to award the Primary and Secondary Intervention Service (PSIS) contract, scheduled to commence on 1st October 2022, to the successful bidder.

The request to award followed on from the approval by Executive, on the 30th of June 2021, for commissioners to re-tender the PSIS contract to enable the commencement of a new service contract from 1st October 2022. The Service was jointly commissioned by the London Borough of Bromley (LBB) and South East London Clinical Commissioning Group (SELCCG) with LBB as the lead commissioner for the service.

The award report set out the results of the tendering process for the provision of the PSIS contract, which resulted in negotiated dialogue with the sole bidder, and recommended the award of contract. Further details were provided in a part 2 report.

The report had been scrutinised by the Adult Care and Health PDS Committee at its meeting on 22nd March 2022 and the Committee had supported the proposals.

RESOLVED that

(1) The award of contract be approved for the provision of the Primary and Secondary Intervention Service as detailed in the accompanying Part 2 Report; the proposed contract will commence on 1st October 2022 for the period of five years plus the option to extend for up to two years.

(2) Delegated authority be given to the Director of Adult Services to apply the 2-year contract extension, subject to agreement with the Adult Care and Health Portfolio Holder, the Director of Corporate Services and Governance, the Director of Finance and the Assistant Director, Governance and Contracts as determined by Contract Procedure Rules.

391 NORTH BLOCK SOLAR PV INSTALLATION
Report ES20172

A Council Motion on 15th July 2019 unanimously approved a ten-year plan to ensure that the Council achieved net zero carbon emissions by 2029. This had since revised to 2027 at the full Council meeting on 28th February 2022.

The report set out a proposal for the installation of a solar photovoltaic (PV) system on the rooftop of North Block building at the Civic Centre. The Council could make use of Section 106 Carbon Offsetting contributions to fund energy/carbon reduction initiatives on its own estate.

A Member commented that it was important that the system was capable of storing or distributing any surplus energy generated.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 24th March 2022 and the Committee had supported the proposals. The Chairman of the Committee, Cllr Christopher Marlow, reported that members had commented that the cost of the system should not be inflated by over-specification. The decision involved a change to the Capital Programme which required Executive approval.

RESOLVED that

(1) The proposal set out in the report to initiate and complete the procurement of a solar PV installation at the North Block, Civic Centre at an estimated whole life contract value of £119k, using the Council's s.106 Carbon Offsetting Fund (COF) to finance the project, be approved; system design to meet these criteria is stipulated in the contract specification.

(2) The use of the Fusion21 framework be approved, and authority be delegated to the Contract Officer to appoint the preferred contractor which is evidenced through the tender evaluation process.

392 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**

**393 EXEMPT MINUTES OF THE MEETINGS HELD ON 27 JANUARY
AND 9 FEBRUARY 2022**

The exempt minutes of the meetings held on 27th January and 9th February 2022 were confirmed.

**394 AWARD OF CONTRACT: PRIMARY AND SECONDARY
INTERVENTION SERVICE (PART 2)**

The Executive considered part 2 details relating to this report.

395 BUDGET MONITORING 2021/22 - PART 2 APPENDIX

The Executive noted part 2 details relating to the Budget Monitoring report.

As this was the last meeting of the Executive before the local election, the Leader thanked Members and Officers for their service, in particular Councillor William Huntington-Thresher and Councillor Peter Morgan, who would be leaving the Council.

The Meeting ended at 7.40 pm

Chairman