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**Decision Maker:** EXECUTIVE AND PORTFOLIO HOLDER FOR RENEWAL,  
RECREATION AND HOUSING

**Date:** For Pre-Decision Scrutiny by Renewal, Recreation and Housing PDS  
Committee on 6 September 2023

**Decision Type:** Non-Urgent Executive Key

**Title:** LIBRARY WORKS PROGRESS AND CROFTON ROMAN VILLA

**Contact Officer:** Lydia Lee, Assistant Director Culture and Regeneration  
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**Chief Officer:** Director of Housing, Planning, Property and Regeneration

**Ward:** All Wards

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1. Reason for decision/report and options

- 1.1 This report provides an update on the library works programme, and information on repairs to Crofton Roman Villa. To enable the library works programme delivery pace to continue the Portfolio Holder and Executive is asked to agree to approve and delegate authority to enter into the contracts required to take forward repairs at Southborough and Beckenham libraries.

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2. **RECOMMENDATION(S)**

**That the Renewal, Recreation and Housing PDS Committee:**

- 2.1 Notes the contents of the report and make any comments available to the Portfolio Holder and the Executive.**

**That the Portfolio Holder for Renewal, Recreation and Housing:**

- 2.2 Agrees to delegate authority to award the library works multi-disciplinary consultancy contract, estimated value £800k, to the Director of Housing, Planning, Property and Regeneration;**
- 2.3 Agrees to proceed to tender for the works at Southborough Library at an estimated value £490k given how close this is to the £500k threshold; and,**

- 2.4 Delegates authority to the Director of Housing, Planning, Property and Regeneration, to award the works contract for Southborough Library given how close the estimated value is to the £500k threshold, as long as the winning tender is affordable within the Operational Property Review budget.**

**That the Council's Executive:**

- 2.5 Agrees to proceed to tender for the works contract for Beckenham Library at an estimated value of £1.4m;**
- 2.6 Agrees to delegate authority to the Director of Housing, Planning, Property and Regeneration in consultation with the Portfolio Holder for Renewal, Recreation and Housing, to award the works contract for Beckenham Library, estimated value £1.4m, as long as the winning tender is affordable within the Operational Property Review library programme budget;**
- 2.7 Note the information on works to Crofton Roman Villa and the request as set out in para 3.19 to utilise the OPR budget for this site as match funding towards bids for grants to improve the information on site and improve visitor experience; and,**
- 2.8 Delegate authority to the Director of Corporate Services to enter into and manage legal matters relating to these works to allow works to progress.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The library service is free to access and available to all.
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### Transformation Policy

1. Policy Status: Existing Policy
  2. Making Bromley Even Better Priority:
    - (1) For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
    - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
    - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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### Financial

1. Cost of proposal: Estimated Cost £2.69m
  2. Ongoing costs: Non-Recurring Cost
  3. Budget head/performance centre: Operational Property Review – Libraries budget
  4. Total current budget for this head: £11.016m
  5. Source of funding: Capital receipts
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### Personnel

1. Number of staff (*current and additional*): 1 FTE
  2. If from existing staff resources, number of staff hours:
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### Legal

1. Legal Requirement: Statutory Requirement: Libraries are a statutory service
  2. Call-in: Not Applicable
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### Procurement

1. Summary of Procurement Implications: The approach is in line with the Council's policy.
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### Property

1. Summary of Property Implications: These works are included in the Operational Property Review previously agreed.
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### Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Grant funding will be sought to include more sustainable energy sources.
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### Impact on the Local Economy

1. Summary of Local Economy Implications: Investment across the borough will have a positive economic impact, as will access to information for residents.
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### Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: N/A

### Customer Impact

1. Estimated number of users or customers (*current and projected*): The 2021 Census identified that 330,000 people live in London Borough of Bromley. There are currently 31,224 registered library members who used their library card to borrow an item in a Bromley library in 2022 representing 9.5% of the population of the Borough. This is an increase on 2021 figures.
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: Ward Councillors for Southborough and Beckenham libraries are supportive of the recommendations. Ward Councillors for Crofton Roman Villa are also supportive of the report commentary.

### 3. COMMENTARY

- 3.1 A report was taken to the June Renewal, Recreation and Housing PDS on the library works programme. Report number HPR 2023/035.
- 3.2 Following this report officers went out to tender for the consultancy team to prepare the works specifications for the repair works to nine of the borough's 14 libraries. These libraries are: Beckenham, Burnt Ash, Chislehurst, Hayes, Mottingham, Orpington, Penge, Petts Wood and Southborough. The following libraries were not included: Biggin Hill (Mytime Active is responsible for the maintenance of this site), Shortlands, St Paul's Cray, West Wickham (subject to a separate redevelopment currently underway) and Central Library (this site is being considered separately).
- 3.3 The library estate is in poor repair and the Operational Property Review (OPR) process allocated a budget of £11.016m (including share of OPR consultancy costs budget) to the library works programme to bring the buildings up to a good standard, and this budget was agreed by the Executive on 30<sup>th</sup> November 2022 and then by Full Council.
- 3.4 The extent of repair works required mean that, to avoid future temporary building closures across the library estate from broken boilers and other issues, officers are working to complete the works programme within two years. Given that libraries are a statutory service, and therefore the works need to be staggered so that residents continue to be able to access libraries, it is important that, following the completion of the St Paul's Cray Library repair works, momentum is maintained and works begin this year on the next site.
- 3.5 The following works timetable sets out the order in which library works will be undertaken and the estimated dates for site closure whilst the repairs are made. Officers prepared this timetable based on the urgency of the works and geographical spread.

Nov 23 - Mar 24	Southborough
Jan 24 - Sep 24	Beckenham
Mar 24 - Jun 24	Hayes
May 24 - Feb 25	Orpington (including contact centre)
Jul 24 - Oct 24	Mottingham
Sep 24 - May 25	Chislehurst
Nov 24 - Mar 25	Burnt Ash
Jan 25 - Apr 25	Petts Wood
Mar 25 - Jun 25	Penge

- 3.6 The multi-disciplinary consultancy tender return deadline is Friday 8<sup>th</sup> September. Following the receipt of the tender returns officers are planning to evaluate and award the contract by mid-October to allow works to commence at Southborough Library by the end of November, and in Beckenham by the end of January 2024. Given the condition surveys have already been undertaken it is expected that the works specifications can be produced in good time.
- 3.7 To enable this pace of delivery, the Portfolio Holder and the Executive are asked to agree to delegate authority to the Director of Housing, Planning, Property and Regeneration to award: the programme consultancy contract; the works contract for Southborough; and the works contract for Beckenham. Members have indicated that they wish the library works programme to be undertaken as swiftly as practical given that some sites have in the last year experienced temporary closures due to building issues which impact on community access.

- 3.8 The estimated contract value for the multi-disciplinary consultancy contract is £800k. The estimated cost of the repair works to Southborough Library is £490k. The estimated cost of the repair works to Beckenham Library is £1.4m.
- 3.9 The procurement approach to the works contracts for both Southborough and Beckenham libraries will be the Request for Quote (RFQ) process. A minimum of three fixed price quotes will be sought from contractors with experience in the repair of library/leisure/cultural buildings. It will be a closed tender process. This approach is considered appropriate given the nature of the works is repairs, and there is no complex design element to these works. These works do not involve new build or extensions, they are building repairs and the renewal of end-of-life materials. The works contractor who undertook the repair of St Paul's Cray library, which is now complete, was procured via a Change Control Notice to the Greenwich Leisure Ltd contract.
- 3.10 There will be an additional cost to the Beckenham Library works scheme due to the provision of a temporary library facility, and the cost of this is factored into the overall £11.016m budget allocation. Temporary library facilities will be provided during the closure periods of Beckenham, Orpington and Chislehurst libraries. This is because the works at these three sites are particularly significant and therefore each site is expected to be closed for nine months. Given the length of these closure periods, and that libraries are a statutory service, temporary library facilities will be opened in these three locations, in the same way that they are being provided during the works closure for West Wickham Library, subject to suitable vacant premises being found.

#### St Paul's Cray Library

- 3.11 St Paul's Cray library repair works have now been completed, with remodelling of the site also undertaken to enable the move of St Paul's Cray Community Support Centre into the building. The works were completed under budget within the estimated cost envelope of £609k, and all items on the condition survey were replaced or repaired, and the site was fully redecorated including externally. As part of the works the layout was reconfigured to provide a public toilet. The site reopened on Tuesday 8<sup>th</sup> August.

#### Shortlands Library

- 3.12 Shortlands library continues to be assessed by the Property Team, and until the extent of the seasonal subsidence at the building is known, no repair works will be undertaken at this site until Property has concluded their investigations.

#### Additional grant funding

- 3.13 The regeneration team is actively seeking grant funding to complement the library repair programme. The type of grant funding that will be pursued will be: funding for specialist equipment, such as the Obie by Exergame already used at Mottingham Library; funding to bring Bromley Historic Collections items out of storage and on to public display; and funding to improve the energy efficiency of the buildings or install renewable energy sources.

#### Library service contract

- 3.14 The current ten-year service contract with Greenwich Leisure Ltd comes to an end on 31<sup>st</sup> October 2027. The repair works undertaken to the buildings will put the Council in a strong position when the contract is retendered, or renegotiated with GLL (there is an option to extend for five years). Ultimately the aim is for the library buildings to move to Full Repairing and Insuring leases, which this repair programme will enable. Whilst this is alone unlikely to lead to significant savings, it will reduce risk for the Council, and the repair works will lead to savings in relation to energy bills and reactive patch maintenance.

## Crofton Roman Villa

- 3.15 The libraries OPR budget of £11.016m includes funding not only for repair works to the library estate but also the Community Support Centre provision, and Crofton Roman Villa building. The original condition survey from 2021 undertaken at the villa site identified c£50k of repairs, although the OPR estimated that the works could cost up to £500k given the age of the mechanical and electrical systems and lack of heating, the lack of insulation, condition of the roof, the age of the windows, site security, as well as general wear and tear. Additionally sanitary facilities are required at this site to ensure it remains sustainable.
- 3.16 The Ancient Scheduled Monument (the Roman Villa), which the building protects, is itself in good condition and requires no works. The monument is cared for by Kent Archaeological and Rescue Unit (KARU). KARU have a license to manage the site on behalf of the Council and receive a small grant each year to cover basic costs.
- 3.17 Officers have visited the Roman Villa and spoken to KARU about the site and the need to ensure that it has a sustainable future. The Roman Villa is the only one in London open to the public to visit, and is extensively visited by local schools. The site is open between April and October each year and therefore any works undertaken would be planned for the winter months as far as possible.
- 3.18 An up-to-date condition survey is currently being undertaken for this site, after which a multi-disciplinary consultancy team will be appointed to prepare a works schedule for the site. Appropriate approvals will be sought once officers are ready to proceed to undertake the works.
- 3.19 Officers are also seeking authority to use the existing budget as match funding to apply for grants towards improving the interpretation and visitor experience at Crofton Roman Villa. This will be no additional cost to the Council but if successful could enhance facilities.

## **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

- 4.1 The Library works programme will have a positive impact on vulnerable adults and children. Libraries are a statutory service and are free to access. Libraries support learning, training, wellbeing and access to information on housing and other services.

## **5. TRANSFORMATION/POLICY IMPLICATIONS**

- 5.1 The repair programme will as far as possible provide opportunities for better, more intensive use of the library estate. For example at Orpington Library the Children's Contact Centre is expected to be moved onto the second floor as part of this works programme. At St Paul's Cray the library building now also hosts the local Community Support Centre.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The proposals contained within this report have a total value of approximately £2,690k (£1,400k Beckenham Library; £490k Southborough Library; £800k for cross-cutting multi-disciplinary consultancy contract.) These sums are fully contained within the total budget of £11,125k for libraries (including delivery costs which are on top of the £11.016m set out in this report) in the Operational Property Review programme, added to the capital programme reported to Executive in January 2022.
- 6.2 The proposals, as reported, have no impact on ongoing revenue budgets.

## **7. LEGAL IMPLICATIONS**

- 7.1 This report seeks approval to;

- a) delegate authority to award the library works multi-disciplinary consultancy contract, estimated value £800k, to the Director of Housing, Planning, Property and Regeneration.
- b) delegate authority to the Director of Housing, Planning, Property and Regeneration, to award the works contract for Southborough Library
- c) delegate authority to the Director of Housing, Planning, Property and Regeneration in consultation with the Portfolio Holder for Renewal, Recreation and Housing, to award the works contract for Beckenham Library, estimated value £1.4m, provided the winning tender is affordable within the Operational Property Review library programme budget.
- d) proceed to tender for the works at Southborough Library at an estimated value £490k
- e) proceed to tender for the works contract for Beckenham Library at an estimated value of £1.4m.

7.2 The background to this report is set out in Report number HPR 2023/035.

7.3 The Council has a duty under Section 7 of the Public Libraries and Museums Act 1964 to provide a “comprehensive and efficient” public library service, in particular that “facilities are available” and “encouraging adults and children to make full use of the library”. The Council has both an implied and a specific power under section 111 of the Local Government Act 1972 to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

7.4 These are works contract, and the value of this procurement falls below the thresholds set out in the Public Contracts Regulations 2015 so is only subject to Part 4 of the Regulations. The procurement must comply with procurement principles of transparency and equal treatment.

7.5 Procurement colleagues have confirmed elsewhere within this report that the actions identified in this report are provided for within the Council’s Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.

## **8. PROCUREMENT IMPLICATIONS**

8.1 This report sets out the rationale for the Delegated Authority to award the library works multi-disciplinary consultancy contract, currently out to tender.

8.2 This report further seeks the permission to Proceed to procure and Delegated Authority for Southborough and Beckenham Libraries, using a closed Request for Quotes process.

8.3 Due to the estimated contract value and the classification of the contract as a works contract, the procurement process shall comply with the Public Contracts Regulations 2015 for a below threshold procurement process.

8.4 The Council’s specific requirements for authorising proceeding to procurement are covered in 1.3 of the Contract Procedure Rules with the need to obtain the formal Approval of the following the Agreement of the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance for a procurement of this value. In accordance with CPR 2.1.2, Officers must take all necessary professional advice.

8.5 In compliance with the Council’s Contract Procedure Rules (Rule 3.6.1), this procurement must be carried out using the Council’s e-procurement system.



8.6 The actions identified in this report are provided for within the Council's Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.

## **9. PROPERTY IMPLICATIONS**

- 9.1 With the exception of Mottingham and Penge libraries the properties including Crofton Roman Villa are owned by the Council on a freehold basis. Mottingham Library is held on a 999 year lease expiring in 2991 and Penge Library in 2047. The Council should remain mindful of the leasehold requirements concerning works undertaken to those properties. Strategic Property are able to offer guidance where required in this regard.
- 9.2 The libraries are all let or sub-let in the case of Mottingham & Penge libraries to Greenwich Leisure Limited (GLL). The leases to GLL specify that the tenant has limited repairing obligations. A directory of the obligations to repair the libraries are clearly identified in the leases as to which party should bear responsibility for specific repairs. It is recommended that any works proposed are cross checked with the directory/schedules as set out in the leases.
- 9.3 Site access conditions should be considered. Occasionally there may be shared arrangements that are registered against the Council's freehold title. Corporate Services are able to interrogate HM Land Registry records and can report as appropriate.
- 9.4 Vacant or partial possession of the libraries may need to be secured to enable the works to be undertaken. Crofton Roman Villa has no lease in place thus a managed arrangement to secure a cleared site will be sufficient. Should the Council so wish, it is able to terminate the GLL leases on certain grounds from time to time. It is recommended that possession to facilitate any works should be managed by way of a formal agreement with the tenant.

## **10. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS**

- 10.1 The repair programme will improve the energy efficiency of the library buildings. Grant funding will be actively sought to fund renewable energy sources.
- 10.2 As part of the tenders for the consultancy contract a scored quality question was included on social value.

## **11. IMPACT ON THE LOCAL ECONOMY**

- 11.1 The repair of the libraries, given their geographical spread and number, will have a positive impact on wider regeneration across the borough.

## **12. CUSTOMER IMPACT**

- 12.1 The 2021 Census identified that 330,000 people live in London Borough of Bromley. There are currently 31,224 registered library members who used their library card to borrow an item in a Bromley library in 2022 representing 9.5% of the population of the Borough. This is an increase on 2021 figures. This does not include customers who used the library solely for purposes such as studying, activities or using public PC's.
- 12.2 Recently it was announced that Bromley is the highest book issuing authority in London beating Wandsworth, who have been number one for several years, to the top spot.

## **13. WARD COUNCILLOR VIEWS**

- 13.1 The views of the Farnborough and Crofton, Bickley and Sundridge, and Clock House ward councillors were sought, as well as the Beckenham Town ward councillors. All ward councillors who responded were positive about the report recommendations.

<b>Non-Applicable Headings:</b>	Personnel implications; impact on health and wellbeing;
Background Documents: (Access via Contact Officer)	HPR 2023/035