

EXECUTIVE, RESOURCES AND CONTRACTS POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 18 September 2023

Present:

Councillor Simon Fawthrop (Chairman)
Councillor Robert Evans (Vice-Chairman)
Councillors Jeremy Adams, Mark Brock,
David Cartwright QFSM, Kira Gabbert, Julie Ireland,
Simon Jeal, Ruth McGregor, Tony Owen, Will Rowlands,
Shaun Slator and Michael Tickner

Also Present:

Councillor Christopher Marlow, Portfolio Holder for Resources,
Commissioning and Contracts Management

25 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Melanie Stevens.

26 DECLARATIONS OF INTEREST

In respect of Item 9(13) – Homes of Ukraine Quarterly Update - Councillors Gabbert and Ireland declared that they hosted Ukrainian families. Councillor Simon Jeal confirmed that his Register of Interest reflected that he was a Trustee of Experts by Experience (XbyX).

27 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions were received.

28 MINUTES OF THE EXECUTIVE, RESOURCES AND CONTRACTS PDS COMMITTEE MEETING HELD ON 3 JULY 2023 (EXCLUDING EXEMPT ITEMS)

The minutes of the Executive, Resources and Contracts PDS Committee meeting held on 3 July 2023 (excluding exempt information), were agreed and signed as a correct record.

29 MATTERS OUTSTANDING AND WORK PROGRAMME Report CSD23103

The report dealt with the Committee's business management including matters outstanding from previous meetings and the proposed work plan for the remainder of the year.

Members noted that the Free Speech Report would be presented in October 2023.

RESOLVED: That the report be noted.

30 FORWARD PLAN OF KEY DECISIONS

The Committee noted the Forward Plan of Key Decisions covering the period August to November 2023.

Members noted that the report concerning the Churchill Theatre would be presented to the Executive in October 2023 and would be scrutinised by this Committee prior to consideration by the Executive.

31 SCRUTINY OF THE CHIEF EXECUTIVE

The Chief Executive, Mr Ade Adetosoye, attended the meeting to respond to questions from the Committee. A written update for the Committee had been circulated as part of the agenda papers. Mr Adetosoye responded to questions, making the following comments –

- In relation to the systems in place to ensure that Officers were replying to communications from residents in a timely manner, senior officers received an update on complaints on a weekly basis. There was also monitoring and scrutiny from the Local Government Ombudsman and where elected Members received complaints from residents these should be raised with individual officers.
- The Council had a strong Workforce Development Team and there was a Workforce Development Plan in place. In terms of supporting the workforce, free counselling sessions were available to staff if required. In addition, the Chief Executive ran regular “Ask the Chief Executive” sessions which were open to all staff as well as One to One Sessions which staff could request. Furthermore staff were encouraged to raise any concerns with managers and senior leaders. The Chief Executive reiterated his strong belief that the Council’s greatest asset was its staff without whom the Council could not deliver services to residents.
- Support to Youth Services continued and the Chief Executive continued to chair the Youth Service Improvement Board.
- The Transformation Plan was the delivery mechanism for the Corporate Plan. As the Transformation Plan 2024-2028 was developed there would be regular updates provided to Members.
- An update on air quality was provided to the recent meeting of the Environment and Community Services PDS Committee.
- Members noted that there was an emerging issue around the backlog in food safety inspections due to the national shortage of staff. Whilst high risk areas currently received oversight, there was a need to address staffing to enable the monitoring of lower risk areas.

- The Council was compelled to meet the legal requirements of statutory inspections and Officers would continue work to ensure this happened.
- A report on the Churchill Theatre would be presented to Members in October.
- In terms of monitoring the performance of staff working from home, the Chief Executive explained that in monitoring performance, managers relied on and trusted staff. Whether staff worked from home or in the office, performance was measured through the delivery of objectives and outcomes, ensuring the needs of residents were met. The Chief Executive confirmed that he was confident that staff were giving more than 100% and delivering for the Borough's residents.

The Committee thanked the Chief Executive for his comprehensive and informative update.

32 RESOURCES, COMMISSIONING AND CONTRACTS MANAGEMENT PORTFOLIO - PRE-DECISION SCRUTINY

The Committee considered the following report where the Resources, Contracts and Commissioning Portfolio Holder was recommended to take a decision.

A CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2022/23 Report FSD23054

On 20 September 2023, the Executive was due to receive a report summarising the current position on capital expenditure and receipts following the first quarter of 2023/24 and will be asked to agree a revised capital programme for the five-year period 2023/24 to 2027/28. The report before the Committee highlighted changes to be put to the Executive in respect of the capital programme for the Resources, Commissioning and Contract Management portfolio. The revised programme for this portfolio was set out in Appendix A and detailed comments on individual schemes were shown in Appendix B; while Appendix C detailed the variance between the 2022/23 budget and the outturn position at year end.

Members noted that the move to the new Civic Offices would deliver some net annual savings and there was a need to consider the future use of earmarked reserves.

RESOLVED: That the Portfolio Holder be recommended to note and acknowledge the changes to be put to the Executive on 20 September 2023.

33 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee considered the following reports on the Part 1 agenda for the meeting of the Executive on 20 September 2023:

**5 BUDGET MONITORING 2023/24
Report FSD23059**

The report provided the first budget monitoring position for 2023/24 based on expenditure and activity levels up to the end of June 2023. 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.

In response to a question concerning the impact of recent changes to postal votes, the Chief Executive (in his capacity of Returning Officer) confirmed that he was comfortable with the current position. A small grant had been received to support the changes and a report would be presented to the October meeting of General Purposes and Licensing Committee setting out the work being done to address the changes.

RESOLVED: That the Executive be recommended to

- 1. Consider the latest financial position;**
- 2. Note a projected net overspend on services of £6,137k forecast based on information as at June 2023;**
- 3. Note the comments from Chief Officers detailed in Appendix 2;**
- 4. Note the carry forwards being requested for drawdown as set out in paragraph 3.3 of the report;**
- 5. Note a projected reduction to the General Fund balance of £445k as detailed in section 3.4;**
- 6. Note the full year cost pressures of £9.750m as detailed in section 3.5;**
- 7. Agree the release of funding from the 2023/24 central contingency as detailed in paragraphs 3.2.2 to 3.2.15;**
- 8. Note the use of the Homes for Ukraine grant in paragraph 3.9 ;**
- 9. Identify any issues that should be referred to individual Portfolio Holders for further action;**
- 10. Request that Council:**
 - (a) agree a sum of £1.8m be drawn down from the 2023/24 contingency as detailed in paragraph 3.2.2.**
 - (b) agree a sum of £4.25m be transferred to the capital programme as detailed in paragraph 3.2.15.**

**6 CAPITAL PROGRAMME MONITORING 2023/24
Report FSD23056**

The report summarised the current position on capital expenditure and receipts following the first quarter of 2023/24 and seeks the Executive's approval to a revised capital programme.

The Director of Finance reported to Members that this was the Council's most challenging Capital Programme, highlighting the importance of disposals and capital receipts.

In response to a question concerning why capital receipts were lower than forecast, the Director of Finance explained that the Council used to have residual receipts which were no longer there. Members noted that the Council was on track for the capital receipts relating to the OPR (Operational Property Review) properties.

The Committee further noted that rental income from properties would be reviewed as part of the 2024/25 Budget Setting Process and an update would be presented to Members in January 2024.

RESOLVED: That Executive be recommended to

- 1. Note the report, including a total re-phasing of £60,366k from 2023/24 into future years, and agree a revised capital programme.**
- 2. Note the need going forward, given the full utilisation of capital receipts by 2025/26 forecast in this report and the limited options to replenish this resource in the future, to consider funding options for all new schemes, including external borrowing where appropriate.**
- 3. Recommend that Council approve the following amendment to the capital programme (paragraph 3.3)**
 - (i) increase of a total £2,656k in relation to Disabled Facilities Grant (£2,443k original award plus £213k supplementary award)**
 - (ii) increase of £55k in relation to Devolved Formula Capital**
- 1. Note that a report elsewhere on the agenda requests a supplementary capital estimate of £4,250k for additional costs associated with the move to Churchill Court, to include the use of £2,250k from the Growth Fund**
- 2. Note that a report elsewhere on the agenda requests the addition of £25,500k for a housing scheme at Bromley North and £15,200k for a housing scheme at Beckenham.**

7 OFFICE FOR LOCAL GOVERNMENT AND THE LOCAL AUTHORITY DATA EXPLORER

The report provided a briefing on the new Office for Local Government, its intended purpose and planned activity. The Department for Levelling Up, Housing and Communities (DLUHC) established the Office for Local Government (Oflog) in July 2023.

In launching Oflog, DLUHC referenced Local Councils as a critical partner in the Government's objective to 'level up'. Acknowledging that there is no shared view of what 'good performance looks like' in local government Oflog will address this by "improving access to data, increasing transparency and fostering accountability – while also highlighting excellence and showcasing success."

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DLUHC had emphasised that Oflog was not a replacement for the withdrawn Audit Commission. Oflog would not produce performance league tables; nor would it add new responsibilities on local authorities. Instead Oflog would recognise and celebrate councils, so others could learn from them. It would also start to detect local authorities at risk of potential failure earlier in the process of decline. Where local authorities were identified as 'at risk of failure', Oflog would convene dialogues between councils and expert local leaders to explore the issues in more detail.

In considering the report, a Member questioned the real value added by the new Oflog and suggested that Chief Officers and Portfolio Holders should be asked to detail the value they currently derive from London Councils.

Another Member suggested that the Children, Education and Families PDS Committee should be asked to review the data in respect of Further Education.

RESOLVED: That Executive be recommended to

- 1. Note the establishment of the Office for Local Government.**
- 2. Note the initial key metrics launched to monitor the effectiveness of local authorities; and**
- 3. Note Bromley's relatively good performance against all 18 metrics.**

**8 AWARD OF CONTRACT FOR WORK AT NEW CIVIC OFFICES
Report ESD20315**

A report went to the Executive on 30th November 2022 and then went to Full Council on 12th December 2022 setting out the recommendations to purchase the freehold of the Direct Line Site known as Churchill Court with a view to moving the Council's offices off the Civic Centre site and disposing of the same.

The Part 2 report set out the outcome of the tender process and award of contract for the construction fit out and building conversion.

The Part 2 report covered the programme budget which had now been refined and set out in this report. In addition, this report updated Members on the dual running costs and overall programme timetable.

In respect of the savings being delivered as a result of the move to the new Civic Offices, the Committee were reminded that the cost of refurbishing the existing Civic Centre was significantly higher as a result of issues of backlog maintenance and maintenance going forward. This meant that the new offices would deliver a significant saving in the longer term. The Director of Housing, Planning Property and Regeneration highlighted that there had been no major capital receipt to fund the work that would have been required to the existing Civic Centre and the Council's satellite sites that also required maintenance. As a result, the new building delivered year-on-year savings as well as new commercial opportunities.

In addition, the Chairman noted that the new building was more sustainable in the longer term. The Committee requested that details of the savings being delivered from the move to the new officers be provided to Members following the meeting.

In response to a question, the Director of Housing, Planning, Property and Regeneration confirmed that the capital receipts from the sale of the existing Civic Centre had been offset against the overall contract price. Members noted that the Civic Centre site was currently out to market and interest had been high.

RESOLVED: That Executive be recommended to note the report.

9 BIGGIN HILL AIRPORT NOISE ACTION PLAN UPDATE

At the meeting of the Executive on 8 February, Officers, in consultation with the Portfolio Holder for Resources, Commissioning and Contract Management, were authorised to work with Biggin Hill Airport Limited (BHAL) regarding the Noise Action Plan, with the objective of agreeing enhancements to improve the situation for residents under the flightpath.

It was also agreed that an update would be provided back to the Executive after six months.

In response to a question, the Director for Housing, Planning, Property and Regeneration confirmed that in respect of the appointment of the consultants, a number of interviews had been held and Vanguardia had extensive experience of NAPs and had provided advice on such issues in relation to a number of major airports, including Heathrow. Members requested that further information concerning Vanguardia's credentials be circulated following the meeting.

The Committee noted that, in January 2024, the report for Executive would be published in line with statutory publication deadlines (i.e. 5 clear working days before the Executive, Resources and Contracts PDS and Executive meetings in January). The Chairman also highlighted that the PDS Committee was able to add further recommendations for the Executive to consider.

The Committee further noted that resident representations had been shared with Vanguardia who are working with the Council to develop measures to be considered in discussions with Biggin Hill Airport.

A Member highlighted that the current situation was not satisfactory, and the Council was currently not serving its residents properly. In order to resolve this, it would be prudent for the Council to help facilitate Biggin Hill Airport meet directly with residents as soon as practicable. Officers agreed to take the point away and investigate whether a meeting would be practicable.

Members of the Committee supported the Council appointing its own acoustic consultants and a long-serving Member highlighted that the Council had

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bought the Airport to protect the environment and these key principles needed to be borne in mind during the process of negotiation as the noise from the airport was affecting the lives of residents.

The Portfolio Holder reminded Members that the Council was constrained by landlord/tenant law but hoped that the seriousness with which the Council took this matter was clear to residents.

Councillor Robert Evans proposed the following additional recommendation which was seconded by Councillor Simon Fawthrop:

That Members note that if no substantive progress is made by January 2024 alternative options for progressing matters will be reported back to the Executive for consideration.

The notion was put to the vote and CARRIED.

RESOLVED: That Executive be recommended to

- 1. Note that a specialist aviation consultant, Vanguardia, has been appointed to advise the Council on the Noise Action Plan and best industry standards around noise reduction and abatement.**
- 2. Note that correspondence with BHAL is ongoing and a further update will be reported back to the Executive in January 2024. The Council is working towards reaching a substantive agreement on the Noise Action Plan and related matters by that date.**
- 3. Note that if no substantive progress is made by January 2024 alternative options for progressing matters will be reported back to the Executive for consideration.**

**HOUSING DELIVERY UPDATE
Report HPR2023/051**

Following the Operational Property Review in November 2022, the report provided an update on the Council owned sites that have been earmarked for affordable housing development as well as an update on the Greater London Authority (GLA) grant for affordable home with recommendations in relation to progressing sites for social housing provision.

The Head of Regeneration introduced the report, setting out the following additional recommendation which was endorsed by the Committee:

(4) Members area asked to note that tenancies on new builds are offered initially on a starter tenancy, and tenants are made aware of their rights on their tenancy including any right to buy as may become appropriate during their tenancy periods.

The Head of Regeneration explained that the report had been circulated to Members of the Renewal, Recreation and Housing PDS Committee. Councillor Chris Price had submitted some questions and had been provided with a response.

In response to a question, the Director of Housing, Planning, Property and Regeneration acknowledged that there was an insufficient supply of 4+ bedroom housing. Where the Council was able to develop the market, it would however, in the meantime it would continue to take longer to house families requiring larger properties. A Member suggested that it would be helpful to ask that the Renewal, Recreation and Housing PDS Committee review the delivery of larger 4+ bedroom housing in acknowledgement of the acute need that exists.

The Committee noted that further bids for funding could be submitted to the GLA, and this would be considered if further schemes came forward. It was however noted that the GLA funding did not fully fund the schemes.

RESOLVED: That Executive be recommended to

- 1. Approve accepting the revised Greater London Authority (GLA) Grant of £37,959k to support the delivery of 217 (note this is for the Grant, not the number that may be delivered) affordable homes through the indicative sites, set out below:**
 - Bromley North
 - Beckenham
 - Bellegrove (subject to further feasibility works to be reported to the Executive)
 - Manorfields (subject to further viability assessment to be reported to the Executive)
 - Poverest (subject to further viability assessment to be reported to the Executive)
- 2. Approve external borrowing in relation to the financing requirements of the Bromley North and Beckenham capital financing requirements, as set out in section 6 of this report.**
- 3. Approve the following recommendations in relation to each site listed above:**

Bromley North

- (a) Subject to the determination of the Bromley North Planning Application, expected in October 2023:**
 - ii. Authorise the addition of the Bromley North Scheme to the Capital Programme at an estimate of £25.5m noting that this is the scheme cost, not the cost to the Council, and note that the Council is foregoing a potential capital receipt of £5.0m in relation to this site.**

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- iii. **Approve the allocation of £515k of S106 funding towards the affordable housing element of the Bromley North Scheme.**
- iv. **Approve the acceptance of the £720k grant from the BLRF towards the Bromley North Scheme, delegating authority to the Director of Housing, Planning, Property & Regeneration in conjunction with Director of Corporate Services to agree legal matters related to the grant and discharge of conditions.**
- v. **Approve award of contract, as set out in paragraphs 3.12 to 3.14, to the provider named in the Part 2 Report for multi-disciplinary consultancy services for RIBA Stages 3b to 7 of the Bromley North Scheme at an estimated whole life value as detailed in the Part 2 Report, noting there will be a break clause in the contract at RIBA Stage 4a should the scheme not progress to award of contract for construction works.**
- vi. **Note, as set out in paragraph 3.15, that Cost and Project Management services for the Bromley North scheme will be tendered separately to ensure stringent financial governance. The estimated value of those contracts is £390k and will, subject to Executive approval of the main recommendations, proceed to procurement and award within Officer delegated authority.**
- vii. **Approve proceeding to procurement, as set out in paragraph 3.11 and paragraphs 3.16 – 3.17, via a compliant route (either framework or closed tender process) for a works contractor for the initial enabling works for Bromley North at an estimated value of £720k in line with BLRF grant conditions, noting that the commencement of the enabling works contract will be dependent on award of contract for the main construction contract for the entire development of the scheme.**
- viii. **Approve, in principle as set out in paragraph 3.18, proceeding to procurement for the design and build works contract at the end of RIBA Stage 4a for the Bromley North scheme at an estimated value of £21m, with delegated authority to the Director of Housing, Planning, Property & Regeneration to approve the detailed procurement strategy in agreement with the Portfolio Holder, the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance, noting that award of contract and commencement of the scheme if considered financially viable will be subject to Executive decision in due course.**
- ix. **Approve the implementation, as far as possible, of recommendations 2.4.1 to 2.4.7 in the event of the Bromley North Planning decision being deferred, noting that no contracts will be awarded until and if Planning is secured; and noting that if the Bromley North Planning application is not granted then none of the recommendations will be taken forward.**

Beckenham Site

- (a) **Subject to undertaking sufficient public engagement, the submission of the Beckenham Car Park (Appendix B) scheme to Planning be approved, noting that the site has already been**

developed to RIBA Stage 3a. It be noted that if the scheme is not submitted within the near future, there is a risk that the surveys procured as part of the planning process will be superseded by forthcoming policies and will therefore need to be re-commissioned at an additional cost.

- (b) The addition of the Beckenham Site to the Capital Programme be authorised at an estimate of £15.2m noting that this is the scheme cost, not the cost to the Council, and it be noted that the Council is foregoing a potential capital receipt of £0.9m in relation to this site.
- (c) In principle as set out in paragraph 3.23 of the report, proceeding to procurement for multi-disciplinary consultancy services for RIBA Stages 3b to 7 for the Beckenham Scheme at an estimated whole life value of £669be approved, with authority delegated to the Director of Housing, Planning, Property & Regeneration to approve the detailed procurement strategy in agreement with the Portfolio Holder, the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance, noting that award of contract will be subject to Portfolio Holder decision in due course.
- (d) It be noted, as set out in paragraph 3.24 of the report, that Cost and Project Management services for the Beckenham scheme will be tendered separately to ensure stringent financial governance. The estimated value of those contracts is £167k and will, subject to Executive approval of the main recommendations, proceed to procurement and award within Officer delegated authority.

Bellegrove, Manorfields and Poverest Sites

- (a) It be approved that Feasibility funding for sites now added to the capital programme (West Wickham, Bromley North and Beckenham) are 'refunded' from the relevant capital budgets to allow detailed feasibility for Bellegrove, as well as further scoping for Manorfields and Poverest sites.
- (b) It be approved that, in principle as set out in paragraph 3.27 – 3.29, proceeding to procurement for multi-disciplinary consultancy services for RIBA Stages 2 to 7 for the Bellegrove Scheme at an estimated whole life value of £1.5m, with delegated authority to the Director of Housing, Planning, Property & Regeneration to approve the detailed procurement strategy in agreement with the Portfolio Holder, the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance, noting that award of contract will be subject to Executive decision in due course, including detail on break clauses within the contract should the scheme not progress.
- (c) It be noted, as set out in paragraph 3.30 of the report, that Cost and Project Management services for the Bellegrove scheme will be tendered separately to ensure stringent financial governance. The estimated value of those contracts is £383k and will, subject to Executive approval of the main recommendations, proceed to procurement and award within Officer delegated authority.
- (d) It be approved that Bellegrove will commence a decant of the site from February 2024.

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- (e) It be approve bids for other grants towards housing schemes as may be available and appropriate.
 - (f) Authority be delegated to the Director of Housing, Planning, Property & Regeneration in conjunction with the Director of Corporate Services and Governance any legal matters related to the development of Council sites for housing, including Land Appropriation matters for both planning purposes and appropriation into the Housing Revenue Account upon completion of the schemes.
 - (g) Authority be delegated to the Director of Housing, Planning, Property & Regeneration in conjunction with the Director of Corporate Services and Governance and the Director of Environmental Services relating to any matters of road adoptions or works with TFL as part of the Housing Schemes listed.
 - (h) It be noted that a decision not to continue with any of the sites listed will result in a return of the GLA grant and/or the BLRF grant.
4. Note that tenancies on new builds are offered initially on a starter tenancy, and tenants are made aware of their rights on their tenancy including any right to buy as may become appropriate during their tenancy periods.

**13 HOMES FOR UKRAINE QUARTERLY UPDATE REPORT
Report HPR2023/032**

The report provided an update on the Homes for Ukraine response by the Council and the approach going forward.

An update on the Homes for Ukraine scheme would be provided to Executive quarterly, this report was the third of the update reports.

The Committee expressed its huge congratulations to the Team for the work they had been undertaking. Members recognised that the celebration events were well received, and the hub model was working well. The Committee also paid tribute to Councillor Gabbert who had been the interface between the Council and the Ukrainian community. It was noted that schools were now being actively encouraged to apply for all the available grants.

Members noted that there was recognition that this was a temporary solution, although there was no end to the war in sight. There was a pan-London group that fed back data and information relating to ongoing pressures to central government. To date no information had been provided about further funding and this remained a concern, particularly in light of the overall housing pressures.

RESOLVED: That Executive be recommended to note the contents of this report in relation to the current activities under the Homes for Ukraine scheme.

**16 COMMUNITY HOUSE, SOUTH STREET, BROMLEY BR1 1RH &
BECKENHAM PUBLIC HALLS, BROMLEY ROAD,
BECKENHAM BR3 5JE - FREEHOLD DISPOSALS**

The report sought authorisation to select a preferred purchaser following marketing of the below properties:

- Community House, South Street, Bromley BR1 1RH
- Beckenham Public Halls, Bromley Road, Beckenham BR3 5JE

The two properties were freehold interests held by the Council that had been identified as surplus to requirement to be included in the Disposal Programme as authorised by the Executive Committee in November 2022.

Capital receipts generated through the Disposal Programme are to be used to part fund the capital investment being undertaken across the Council's operational estate as set out within the Operational Property Review.

A Member highlighted that there was huge interest from residents as well as concern about the impact on the voluntary sector.

In response to a question relating to Community House, the Director of Housing, Planning, Property and Regeneration confirmed that whilst a schedule of costs was not available for bidders, bidders were permitted to undertake their own surveys and the site was being sold "as seen". Any buyer would be required to undertake their own due diligence.

The Committee noted that in respect of Beckenham Halls, both bidders had offered community use.

RESOLVED: That Executive be recommended to

Community House, South Street, Bromley BR1 1RH

- 1. Authorise acceptance of Offer A received for the Council's freehold interest known as Community House, South Street, Bromley BR1 1RH and to proceed to completion with the transaction.**
- 2. Delegate authority to the Director of Housing, Planning and Regeneration to finalise terms of sale in order to proceed with the transaction and conclude the disposal.**
- 3. Delegate authority to the Director of Housing, Planning and Regeneration to accept Offer C, formalise the terms and complete the transaction, should Offer A fail to complete.**
- 4. Fund the legal and professional costs associated with completing the transaction from the capital receipt received.**

5. **Note that details of the commercial terms of the offer being recommended for freehold disposal are commercially sensitive and therefore included within Part 2 of this report.**

Beckenham Public Halls, Bromley Road, Beckenham BR3 5JE

6. **Authorise acceptance of Offer A received for the Council's freehold interest known as Beckenham Public Halls, Bromley Road, Beckenham, BR3 5JE be authorised and to proceed to completion with the transaction.**
7. **Delegate authority to Director of Housing, Planning and Regeneration to finalise terms of sale in order to proceed with the transaction and conclude the disposal.**
8. **Delegate authority to the Director of Housing, Planning and Regeneration to accept Offer B, formalise the terms and complete the transaction, should Offer A fail to complete.**
9. **Fund the legal and professional costs associated with completing the transaction from the capital receipt received.**
10. **Note that details of the commercial terms of the offer being recommended for freehold disposal are commercially sensitive and therefore included within Part 2 of this report.**

34 POLICY DEVELOPMENT AND OTHER ITEMS

**A COUNCIL MOTION- -DIGITAL INCLUSION
Report CDS23114**

At its meeting on 15 May 2023, following a resolution from Full Council, the Committee resolved to "request that Chief Officers review their directorates and take reasonable steps to review digital inclusion within existing policies and report back to the Executive, Resources and Contracts PDS Committee by September 2023 if any deficiencies are identified". The report set out the feedback received from the directorates.

Members thanked the Officers involved in the preparation of the report. The Chairman highlighted that across Council services alternative methods for resident engagement were available.

A Member highlighted that the London Borough of Bromley had an aging population and, citing the example of the introduction of cashless parking, expressed concern that elderly residents were being digitally excluded.

Another Member suggested it would be helpful for councillors to have an established process for reporting when instances of digital exclusion were identified.

RESOLVED: That the information from service departments be noted.

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**

36 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE REPORTS

The Committee considered the following reports on the Part 2 agenda for the meeting of the Executive on 20 September 2023:

24 PART 2: AWARD OF CONTRACT FOR WORK AT NEW CIVIC OFFICES

The Committee considered the report and endorsed the recommendations.

25 PART 2: COMMUNITY HOUSE, SOUTH STREET, BROMLEY BR1 1RH & BECKENHAM PUBLIC HALLS, BROMLEY ROAD, BECKENHAM BR3 5JE - FREEHOLD DISPOSALS

The Committee engaged in a detailed discussion about the report and recommendations presented in Part 2. During the discussion, Councillor Simon Jeal proposed that the Executive be recommended to accept Offer C. The motion was seconded by Councillor Julie Ireland, put to the Vote and was LOST.

Consequently, the Committee voted to recommend to Executive that the recommendations outlined in both the Part 1 and Part 2 reports be agreed. This vote was CARRIED.

(Councillors Simon Jeal, Jeremy Adams and Ruth McGregor requested that their vote against be recorded.)

27 PART 2: CAPITAL PROGRAMME APPENDIX E

The Committee noted the Part 2 information.

28 PART 2: HOUSING DELIVERY UPDATE

The Committee considered the report and endorsed the recommendations.

37 PART 2 CONTRACT REGISTER AND CONTRACTS DATABASE

The report presented September 2023's Corporate Contracts Register for consideration.

Detailed scrutiny of individual contracts was the responsibility of the six PDS Committees with ER&C PDS taking an overview of the Council's larger value (£200k+) contracts to ensure that commissioning and procurement activity was progressed in a consistent manner. The report provided both the Council wide £200k+ register together with the £50k+ register specific to the ER&C Portfolio.

The Contracts Register presented in 'Part 2' of this agenda included a commentary on each contract to inform Members of any issues or developments.

The Committee noted that the two contracts flagged for attention had been extended since the publication of the report.

The Chairman requested that Officers give consideration to how the contracts register could be streamlined and slimmed down.

RESOLVED: That the report be noted.

The Meeting ended at 10.01 pm

Chairman