

EXECUTIVE

Minutes of the meeting held on 7 February 2024 starting at 7.00 pm

Present:

Councillor Colin Smith (Chairman)
Councillors Yvonne Bear, Nicholas Bennett J.P.,
Christopher Marlow, Angela Page, Will Rowlands and
Diane Smith

Also Present:

Councillor Simon Fawthrop and Councillor Simon Jeal

120 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Kate Lymer. Apologies for lateness were received from Councillor Yvonne Bear.

121 DECLARATIONS OF INTEREST

Councillor Bennett declared that he was a member of the Lee Valley Regional Park Authority.

122 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 16 JANUARY 2024

RESOLVED: That the minutes of the meeting held on 17 January 2024, be agreed and signed as a correct record.

123 QUESTIONS

One question for written reply attached at Appendix A.

124 COUNCIL TAX REPORT 2024/25 Report FSD24014

A key part of the financial strategy was to highlight the budget issues that would need to be addressed by the Council over the coming financial years, by forecasting the level of available resources from all sources and budget pressures relating to revenue spending. This was reported to previous meeting of Executive. Details of the capital programme were reported elsewhere on this agenda.

The Provisional Local Government Finance Settlement 2024/25 only covered 2024/25, with no indication of future years funding. The settlement included continuation of the ASC precept, increase in new homes bonus, increase of repurposed social care funding (children's and adults) and market sustainability

improvement fund (adult social care). However, there were significant reductions in the Services Grant.

There remained uncertainty around the level of Government funding for 2025/26 and beyond, particularly as the Government would need to address the significant increase in public debt due to the pandemic. The longer-term Spending Review together with the awaited Fair Funding Review and Devolution of Business Rates (or any revised funding proposals) was not expected until 2026/27 but could be delayed even further.

This report identified the final issues affecting the 2024/25 revenue budget and sought recommendations to the Council on the level of the Bromley element of the 2024/25 Council Tax and Adult Social Care precept.

Confirmation of the final GLA precept would be reported to the Council meeting on 26th February 2024. The report also sought final approval of the 'schools budget'. The approach reflected in this report was for the Council to not only achieve a legal and financially balanced budget in 2024/25 but to have measures in place to deal with the medium-term financial position (2025/26 to 2027/28).

Following the Government reductions in funding since austerity measures began there have been some recent improvements in funding. However, the burden of financing increasing service demands falls primarily on the level of council tax and share of business rate income. The financial forecast assumes that the level of core grant funding will remain unchanged, in real terms, from 2025/26.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 5 February 2024 and the Committee had supported the recommendations.

RESOLVED That:

1. Council be recommended to:

(a) Note the following recent changes including the outcome of the Final Local Government Settlement 2024/25 announced by DLUHC on 6th February:

- i) additional Services Grant funding of £24k;**
- ii) final allocation of Public Health Grant which represents a 2.1% increase in funding (£64k); and**
- iii) one-off funding of £411k in 2023/24 only, mainly relating to the government's business rates safety net and levy account.**

(b) Approve the schools' budget of £116.453m which matches the estimated level of Dedicated Schools Grant (DSG) after academy recoupment;

- (c) Approve the draft revenue budgets (as detailed in the revised Appendix 2) for 2024/25;
- (d) Agree that Chief Officers identify alternative savings/mitigation within their departmental budgets where it is not possible to realise any savings/mitigation reported to the previous meeting of the Executive held on 17th January 2024;
- (e) Approve a revised Central Contingency sum to reflect the allocation of the pay award, movement of levies and final local government settlement identified in (a) above, resulting in a sum of £9,816k (see Section 6 and the revised Appendix 3);
- (f) Approve the following provisions for levies for inclusion in the budget for 2024/25:

	£'000
London Pensions Fund Authority *	460
London Boroughs Grant Committee	248
Environment Agency (flood defence etc.)	270
Lee Valley Regional Park	351
Total	1,329

* This amount is provisional and subject to revision.

The decrease of £13k in the 2024/25 levy amounts is offset by a £13k increase in the 2024/25 Central Contingency as a provision towards meeting inflation cost pressures;

- (g) Note the latest position on the GLA precept, which will be finalised in the overall Council Tax figure to be reported to full Council (see section 12);
 - (h) Set a 2% increase in Adult Social Care Precept with a 2.99% increase in Bromley's General Council Tax, compared with 2023/24 (2% increase in Adult Social Care Precept and 2.99% increase in Bromley's General Council Tax) and notes that, based upon their consultation exercise, the GLA are currently assuming a 8.6% increase in the GLA precept;
 - (i) Approve the approach to reserves outlined by the Director of Finance (see Appendix 4); and
 - (j) Consider the Section 25 commentary (Local Government Act 2003), reflected in section 18 of the report, in making recommendations to Full Council.
2. The Director of Finance be authorised to report any further changes directly to Council on 26th February 2024.

3. Council Tax 2024/25 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011).

Subject to 2.1 (a) to (j) above, if the formal Council Tax Resolution as detailed below is approved, the total Band D Council Tax will be as follows:

	2023/24 £	2024/25 £	Increase £	Increase % (note #)
Bromley (general)	1,218.25	1,260.35	42.10	2.99
Bromley (ASC precept)	189.80	217.96	28.16	2.00
Bromley (total)	1,408.05	1,478.31	70.26	4.99
GLA *	434.14	471.40	37.26	8.58
Total	1,842.19	1,949.71	107.52	5.84

* The GLA Precept may need to be amended once the actual GLA budget is set.

(#) in line with the 2024/25 Council Tax Referendum Principles, the % increase applied is based on an authority's "relevant basic amount of Council Tax" (£1,478.31 for Bromley) – see paragraph 6 below. Any further changes arising from these Principles will be reported directly to Council on 26th February 2024.

4. Council is recommended to formally resolve as follows:

- (1) It be noted that the Council Tax Base for 2024/25 is 135,300 'Band D' equivalent properties.**
- (2) Calculate that the Council Tax requirement for the Council's own purposes for 2024/25 is £200,016k.**
- (3) That the following amounts be calculated for the year 2024/25 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):**
 - (a) £663,110k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.**
 - (b) £463,094k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.**
 - (c) £200,016k being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year.**

- (d) £1,478.31 being the amount at 3(c) above, divided by (1) above, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.
- (4) To note that the Greater London Authority (GLA) has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below (NB. the GLA precept figure may need to be amended once the actual GLA budget is set).
- (5) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2024/25 for each part of its area and for each of the categories of dwellings.

Valuation Bands	London Borough of Bromley £	Greater London Authority £	Aggregate of Council Tax Requirements £
A	985.54	314.27	1,299.81
B	1,149.80	366.64	1,516.44
C	1,314.05	419.02	1,733.07
D	1,478.31	471.40	1,949.71
E	1,806.82	576.16	2,382.98
F	2,135.34	680.91	2,816.25
G	2,463.85	785.67	3,249.52
H	2,956.62	942.80	3,899.42

- (6) That the Council hereby determines that its relevant basic amount of council tax for the financial year 2024/25, which reflects a 4.99% increase (Adult Social Care Precept increase of 2%), is not excessive. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2024/25 sets out the principles which the Secretary of State has determined will apply to local authorities in England from 2024/25. Any further changes arising from these Principles will be reported directly to Council on 26th February 2024. The Council is required to determine whether its relevant basic amount of Council Tax is excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.

**125 CAPITAL STRATEGY 2024/25 TO 2027/28 & Q3 CAPITAL PROGRAMME MONITORING
Report FSD24015**

This report incorporated the Council's new Capital Strategy and Capital Programme for 2024/25 to 2027/28. It also summarised the current position on capital expenditure and receipts following the conclusion of the third quarter monitoring exercise.

The report included details of the new schemes that will be added to the Capital Programme and information concerning the proposed asset disposals that would be used to generate capital receipts and ultimately contribute towards the funding of the Capital Programme.

Also included were details of the related Capital Financing implications, including proposals to refinance current housing schemes through borrowing, utilisation of revenue reserves to address the shortfall in capital resources for 2023/24 onwards and details of how these proposals would impact the Council's revenue budget.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 5 February 2024 and the Committee had supported the recommendations.

RESOLVED: That

- 1. The report be noted, including a total rephasing of £27m from 2023/24 into future years as detailed in section 3.7, and a revised capital programme be agreed;**
- 2. The Capital Strategy for 2024/25 to 2027/28 be approved including the following amendments to the capital programme:**
 - (a) Adjustments identified as part of the capital monitoring process totalling a net reduction of £1,007k as detailed in sections 3.5 and 3.6; and**
 - (b) An increase of £2,477k in relation to new schemes to be added to the Capital Programme as detailed in section 3.11.**

**126 OPERATIONAL BUILDING REPAIR AND MAINTENANCE BUDGET 2024/25
Report CSD24015**

Members of the Executive considered the Council's draft 2024/25 Budget elsewhere on the agenda at their meeting on 7th February 2024. This report set out indicative budget allocations reflected in the Draft 2024/25 Budget report for operational building maintenance against the repairs and maintenance budget.

Members of the Executive requested that further investigations be made into the proposals for St Johns Church West Wickham to clarify whether the works were the responsibility of the Council. If the property was not owned by the London Borough of Bromley the works would not be proceeding without further Executive agreement. The Executive requested that an update be provided following the meeting.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 5 February 2024 and the Committee had supported the recommendations.

RESOLVED: That

- 1. Noting the 2024/25 Budget Report considered elsewhere on the agenda, the following expenditure for operational building maintenance for 2024/25 be approved – Repairs and Maintenance - £2.6m.**
- 2. Authority be delegated to the Director of Housing, Planning, Property and Regeneration to vary the planned programme and budget allocations within the repairs and maintenance budget to take actions necessary to either protect the council’s assets or make the most effective use of resources.**
- 3. Approval be given for the transfer of £500,000 from the revenue Building Infrastructure Fund to the OPR Fund in respect of works of roofing works that have been unable to be implemented within the 2023/24 financial year.**

Roofing works - £500,000 (Blenheim Centre and Hawes Down Centre)

- 4. Approval be given for drawdown of £504,000 from the revenue Building Infrastructure Fund for works completed or committed within the financial year 2023/24. Delegation to spend the below was approved by Executive in March 20 23 (report No. HPR2023/021).**

Boundary Wall -	£ 57,000 (High Elms Estate)
Resurface car park -	£296,000 (Norman Park)
Repair brickwork -	£ 16,000 (Priory Gardens)
Infrastructure works -	£ 65,000 (Central Depot)
Asset survey -	£ 70,000 (Various)

**127 HOUSING ALLOCATION SCHEME AND CHOICE BASED LETTINGS POLICY
Report HPR2024/002**

The current Housing Allocation Scheme was first published in 2012, amended in 2015 and the last formal update made in 2017 following the introduction of the Homelessness Reduction Act (2017). In order to ensure that the Scheme was contemporary and met all current legislative requirements a review of the Council's Housing Allocations Scheme was approved in November 2022.

In September 2023 the Executive approved a revised draft of the Housing Allocations Scheme for eight weeks public consultation. This report contained the findings and outcome of that consultation alongside the final proposed scheme for which approval was sought.

The report was provided alongside the analysis of the consultation findings in table format (Appendix 1) the final proposed scheme (Appendix 2), an equalities impact assessment (EQIA) relevancy test (Appendix 3), Demographic Profile Housing Register Applicants as of December 23 (Appendix 3A) and Demographic Profile of the Borough census 2021 (Appendix 3B).

The report had been scrutinised by the Renewal Recreation and Housing PDS Committee at its meeting on 31 January 2024 and the Committee had supported the recommendations.

RESOLVED: That

- 1) The results from the consultation exercise be reviewed; and,**
- 2) The proposed Allocations scheme be approved for adoption by the Council.**

**128 AFFORDABLE HOUSING - POLICY AND STRATEGY DOCUMENTS
Report HPR2024/001**

In July 2020 the Council approved the re-opening and setting up of a Housing Revenue Account ("HRA") for the provision of affordable housing and had been developing housing on Council-owned land. The Council was registered as a provider of social housing by the regulator on 29th September 2020 (Reg no:5103).

To remain compliant with the regulatory requirements and ensure delivery to our residents, the Council, now a stock holding authority, was required to produce and adhere to various housing policies and strategies. In March 2023, the Executive approved the draft Tenancy Strategy and the draft Tenancy Management Policy for eight weeks public consultation. This report contained the findings and outcome of that consultation alongside final documents for which approval was sought.

The report had been scrutinised by the Renewal Recreation and Housing PDS Committee at its meeting on 31 January 2024 and the Committee had supported the recommendations.

RESOLVED That

- 1) The results of the consultation exercise be reviewed; and,**
- 2) The Tenancy Strategy and Tenancy Management Policy be approved for adoption by the Council.**

129 HOUSING MANAGEMENT CONTRACT (AWARD)
Report HPR2024/003

In September 2023, the Council's Executive granted approval to proceed to procurement via a compliant open tender for the housing management and associated services contract in relation to the Bromley owned residential portfolio.

The tender did not secure any suitable bids and so, in compliance with the relevant procurement regulations, a negotiated process was entered into. This report detailed the outcome of the unsuccessful competitive tender, the subsequent negotiated process and the proposal to proceed to award the contract as detailed in the Part 2 report.

To allow for an effective handover between the incumbent provider (Pinnacle) and the proposed incoming party, and with due regard to TUPE regulations, officers were seeking approval of an extension of terms with Pinnacle for a period of 12 weeks commencing 1st April 2024 and expiring 30th June 2024.

The report had been scrutinised by the Renewal Recreation and Housing PDS Committee at its meeting on 31 January 2024 and the Committee had supported the recommendations.

RESOLVED That

- 1) The short extension of terms with Pinnacle for a period of 12 weeks commencing 1st April 2024 and expiring 30th June 2024 at an estimated value set out in the accompanying Part 2 report be approved;**
- 2) The award of contract in principle be approved, as detailed in the accompanying Part 2 report;**
- 3) Delegated Authority be granted to the Director of Housing, Planning and Regeneration to finalise the award of contract subject to heads of terms being agreed, in agreement with the Director of Corporate Services and the Director of Finance; and,**

- 4) **Delegated authority be granted to the Director of Housing, Planning and Regeneration, subject to agreement with the Assistant Director for Governance and Contracts, the Director of Corporate Services, the Director of Finance and the Portfolio Holder for Renewal, Recreation and Housing, to apply the extension option in due course.**

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

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

131 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**

132 CAPITAL PROGRAMME MONITORING Q.3 PART 2 APPENDIX

The Executive noted the Part 2 Appendix.

133 PART 2: HOUSING MANAGEMENT CONTRACT AWARD

The Executive considered the report and approved the recommendations.

Chairman

The Meeting ended at 7.43 pm