

EXECUTIVE

Minutes of the meeting held on 27 March 2024 starting at 7.00 pm

Present:

Councillor Colin Smith (Chairman)
Councillors Kate Lymer (Vice-Chairman), Yvonne Bear,
Nicholas Bennett J.P., Christopher Marlow, Angela Page
and Diane Smith

Also Present:

Councillor Simon Fawthrop and Councillor Simon Jeal

134 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Will Rowlands.

135 DECLARATIONS OF INTEREST

There were no additional declarations of interest.

136 QUESTIONS

No questions were received.

137 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 7 FEBRUARY 2024

RESOLVED: That the minutes of the meeting held on 7 February 2024, be agreed and signed as a correct record.

138 BUDGET MONITORING 2023/24 Report FSD24027

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

The report was scrutinised by the Executive, Resources and Contracts PDS Committee on 25 March 2024, and the Committee supported the recommendations.

RESOLVED: That

- 1.The latest financial position be considered.**

2. It be noted that a projected net overspend on services of £14,206k is forecast based on information as at December 2023.
3. The comments from Chief Officers detailed in Appendix 2 be noted.
4. The projected reduction to the General Fund balance of £147k as detailed in section 3.3 of the report be noted.
5. The full year cost pressures of £21.1m as detailed in section 3.4 of the report be noted.
6. The release of funding from the 2023/24 central contingency as detailed in paragraphs 3.2.2 to 3.2.5 of the report be agreed.
7. Setting aside £2.2m into an earmarked reserve to support the revenue budget for 2025/26 as detailed in section 3.8 of the report be agreed.
8. The issues regarding the Community Equipment contract as detailed in paragraph 3.9 and in Part 2 of this report be noted.
9. Any issues that should be referred to individual Portfolio Holders for further action be identified.
10. Additional DSG funding of £470k be approved to strengthen early support for Speech and Language services in key local schools, for early identification and intervention for a trial period of one year. This investment is expected to generate greater savings (in excess of £470k) to reduce the DSG deficit.

To note that the outcome of the additional investment will be reported back to members in considering options for ongoing funding.

139 SECOND HOMES PREMIUM
Report FSD24030

The report set out a proposal that a Second Home Premium be introduced from April 2025.

RESOLVED: That

1. The responses to the public consultation exercise at Appendix 1 of the report be noted.
2. The Equality Impact Assessment be noted.
3. The introduction of the 100% Second Home Premium from April 2025 be approved.

**140 BASIC NEED UPDATE REPORT
Report CEF23077**

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

Concerns were raised regarding the costs of the installation on an air source heat pump at the former Marjorie McClure school site and the Executive requested that any decision on that recommendation be deferred until further information was presented to the Special Executive meeting on 18th April 2024. The Executive requested that the paper outlined the range of options available in respect of the heating system.

The report and additional information on the Salix grant was scrutinised by the Children Education and Families PDS Committee on 20 March 2024, and the Committee supported the recommendations.

RESOLVED: That

- 1. The updated Basic Need Programme as set out in Appendix 3 be agreed subject to Full Council approval.**
- 2. It be agreed that new projects at Bromley Beacon Academy (Orpington), Hawes Down Primary School, The Glebe, the former Marjorie McClure school site and Midfield Primary School, be added to the Basic Need Programme as detailed in the scheme appraisals in Appendix 1 of the report.**
- 3. It be agreed that schemes to deliver additional primary places at Scotts Park Primary School and St Marys Cray Primary be removed from the Basic Need Programme as these schemes have been on hold for several years and there is currently no projected need for additional places at either of these schools.**
- 4. The allocation of an additional £177,726 of additional S106 allocations to projects within the Basic Need Capital Programme as outlined in Appendix 2 be agreed.**
- 5. It be noted that a further High Needs Capital Provision allocation for 2024/25 is expected in March 2024. An estimation of its value has been included within this report. The programme as outlined in Appendix 3 will be amended when the amount of allocation is known.**
- 6. It be noted that schemes within the Basic Need Programme will be delivered in line with the previously agreed procurement strategy. Awards of contract for schemes within the programme will be delivered in line with the Council's Contract Procedure Rules. In instances grant will be allocated to schools for school led delivery.**

7. In respect of the Salix grant received for the installation of an air source heat pump at the former Marjorie McClure school site any decision be deferred until further information is received by the Executive at the Special Meeting on 18th April 2024. The paper to outline the range of options available in respect of the heating system.

141 PERMISSION TO COMMENCE WITH THE PROCUREMENT TO REPLENISH THE DOMICILIARY CARE PATCH ARRANGEMENTS
Report ACH24-006

On the 29 June 2021 Executive agreed the award of geographical Patch contracts to deliver domiciliary care services for a up to an eight-year period (5+3 years); that commenced on 28 August 2021 (Report ACH21-031).

The current value of the contract spend was an overall value of £16.4 million per annum. The overall remaining whole life value of £82 million for 2+3 years (both Framework and Patch).

Since the award of the contract, two of the four patches (East and South) had delivered well and had progressed to accept circa 70% of the domiciliary care packages at the end of year two of the eight-year contract. However, because some designated providers had not been able to deliver packages of care, the Integrated Commissioning Service was now seeking to replenish the Central Patch with one new provider alongside four back-up providers to be used when required.

The report was scrutinised by the Adult Health and Care PDS Committee and the Children, Education and Families PDS Committee on 12 March 2024, and the Committees supported the recommendations.

RESOLVED: That permission to procure up to five new Patch providers be approved, these contracts will run co-terminus with the Patch providers that have been delivering services since 28 August 2021. This action is due to one provider ending their contract. The additional four new providers will replace any providers that are not able to meet the terms of the contract.

142 ADULT MENTAL HEALTH RECOVERY AND REHABILITATION SUPPORT @ HOME SERVICE (PART 1)
Report ACH24-014

Mental Health recovery and rehabilitation accommodation-based support and floating support services aimed to support mental health service users away from reliance on hospital and residential provision towards enabling and cost-effective services such as supported accommodation, support in the community and targeted support towards independent living.

The LBB Mental Health Flexible Support Service contract expired on 30 September 2024. The current contract had been in place since 1 October 2019 and had no further options to extend.

The South East London Integrated Care Board (SELICB) Adult Mental Health Residential and Supported Accommodation Services contract expired on 30 September 2024. The current contract had been in place since 1 April 2019 and had an estimated value of £1,432k per annum. The contract had no further extension options remaining and had a cumulative value of approximately £6,963k over the 5-year term.

In addition to the block contracted services, LBB held individual placement contracts for clients placed into SELICB contracted provision. In 2021/22 the combined annual value of these placements was estimated to be approximately £1.12m per annum. In total these two services had an estimated combined value more than £2.94m per annum.

The Gateway 0 report ACH22-018, presented to Executive on 29 June 2022, advised members on the procurement options for future housing support mental health services in Bromley and gained approval to replace the existing service model with a new joint adult mental health recovery and rehabilitation Support@Home service contract in 2024, underpinned by the section 75 agreement between LBB and SELICB, and with a combined total contract value estimated at £2.66m per annum, split 50:50 between LBB and SELICB.

The Gateway 1 report ACH22-035, presented on 30 November 2022, sought and obtained Executive approval to commence the procurement of the service in accordance with the arrangements set out in the report with the intent to commence the new service on 1 October 2024 with LBB acting as the contracting authority.

This report sought Executive approval to award the Support@Home service contract in accordance with the arrangements set out in the report and the accompanying Part 2 report to commence the new service on 1 October 2024.

The report was scrutinised by the Adult Care and Health PDS Committee on 12 March and the Committee supported the recommendations.

RESOLVED: That

- 1. The award of contract for the Support@Home service contract as detailed in this report and the accompanying Part 2 report be approved for an initial period of 5 years from 01 October 2024 to 30 September 2029 with two options to extend for a further period of 2 years from 01 October 2029 to 30 September 2031 and 1 October 2031 to 30 September 2033 at an estimated total contract value as set out in Part 2 of this report; and**
- 2. Authority be delegated to the Chief Officer, subject to Agreement with the Assistant Director Governance & Contracts, the Director of Corporate Services, the Director of Finance and the Portfolio Holder for Adult, Care & Health, to approve the contract extension period(s)**

for up to four years on satisfactory achievement of the contract performance indicators.

**143 RESIDENTIAL HOME CARE FOR OLDER PEOPLE BLOCK CONTRACT (PART 1)
Report ACH24-018**

The report sought approval for the award of a residential home care block contract for 20 Bromley based beds to the provider named in the accompanying Part 2 report.

The block contract would result in the Council securing access to more in borough residential care provision and would also support achievement of medium-term financial savings targets with regards to managing the market more efficiently.

The proposed arrangements would yield efficiencies in commissioning costs by continuing to secure a reduced purchasing rate per placement through a block contract as compared to existing spot placement rates and help to manage the increasing pressure of seeking and finding suitable placement in Bromley.

The report was scrutinised by the Adult Care and Health PDS Committee on 12 March 2024 and the Committee supported the recommendations.

RESOLVED: That

- 1. The award of the Residential Care Services block contract be approved as set out in the accompanying Part 2 report, the block contract being for 20 beds for a two-year contract commencing 1 April 2024 with the option to extend for up to a further two years.**
- 2. Delegated authority to the Director of Adult Social Care be approved, subject to agreement with the Portfolio Holder, the Assistant Director Governance & Contracts, the Director of Finance and Director of Corporate Services, to apply the two-year extension option.**

**144 PUBLIC SWITCH TELEPHONE NETWORK (PSTN) REQUIREMENTS TO UPGRADE THE ADULTS CARELINK SERVICE
Report ACH24-015**

The report provided an analysis of the work required and requests capital investment, and resources to complete the upgrade of all the devices currently in operation for the Bromley residents that use the Council's Carelink Service to support the Council's statutory obligation to support vulnerable residents as directed by the Care Act - 2014.

The Public Switch Telephone Network (PSTN) will close in December 2025. This in effect meant that there will be a switching off the old analogue telephone network. It would be replaced with an all-digital fibre-based network and was consistent with an imperative for digital transformation of all related services including telecare.

The report outlined recommendations for the resources required to meet the digital upgrade before the end of 2025. The Director for Adult Services had been consulted on the analysis of options in this report.

RESOLVED: That

- 1. The options explored and analysis in the report be noted.**
- 2. The plan and budget for the phase of work (procurement and transition) as set out in Section 8 of the report be approved. This will incur costs estimated at £416k in total (£139k in 2023/24 and £277k in 2024/25).**
- 3. Delegated authority to the Portfolio Holder for Adult Care and Health and to the Director of Adult Services for agreeing any relevant decisions to enable the implementation and delivery of the recommendations in this report that are agreed by Executive be approved.**
- 4. The preferred procurement option of a new call handling platform to replace the current service provider contract which expires in November 2024 be noted.**

145 BIGGIN HILL UPDATE

At the meeting of the Executive on 8 February 2023, 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 (NAP), with the objective of agreeing measures to improve the situation for residents under the flightpath.

An update was provided back to the Executive on 20 September 2023 which noted that correspondence with BHAL was ongoing. It was agreed that a further update would be provided back to the Executive after six months in 2024 and that if no substantive progress had been made by this point, alternative options for progressing matters would be reported.

The report was scrutinised by the Executive, Resources and Contracts PDS Committee on 25 March 2024, and the Committee supported the recommendations.

RESOLVED: That

1. It be noted that BHAL are expected to shortly submit a revised proposal for an alternative instrument approach to runway 03 to the Civil Aviation Authority (CAA), which would be understood to have noise reduction benefits for residents under the flightpath.
2. The progress that BHAL have made towards a NAP review and that an assessment has been made of this progress and remaining requirements for completing the NAP review be noted.
3. It be noted that a series of meetings were held between the Council and BHAL but that no agreement was reached between the two parties, although the option for further meetings remains open.
4. It be noted that following the meetings with BHAL, the Council has written to BHAL to reiterate the Council's requirements for completing the NAP review. The Council outlined that the NAP review is not considered to be complete without meeting these requirements and that while the NAP review is incomplete, the 50,000 aircraft movements cap remains in force at the airport.
5. It be agreed that if BHAL exceed 50,000 movements without the NAP review being complete, the Council will take legal action to protect the Council's position and in support of residents, as detailed in Part 2.

146 OPR AWARD OF CONTRACTS FOR MULTIDISCIPLINARY SERVICES

In November 2023 the Executive approved the procurement of further design led multidisciplinary consultancy services to support the delivery of the OPR Programme.

This report sought approval to award a consultancy services contract to the successful bidders following the tender process.

This report also provided an update on the progress of the surface car parks workstream.

The report was scrutinised by the Executive, Resources and Contracts PDS Committee on 25 March 2024, and the Committee supported the recommendations.

RESOLVED: That

1. The contents of this report be noted.

- 2. The award of a Multidisciplinary Consultancy Services Contract for the OPR Programme to the successful bidders as detailed in Part Two of this report be approved.**

**147 LIBRARY REPAIR WORKS PROGRAMME
Report HPR2024/011**

The report provided an update on the library repair works programme, and requested authority to both proceed to tender, and award contracts, for works at four further library sites: Mottingham, Chislehurst, Burnt Ash and Orpington.

The report was scrutinised by the Renewal Recreation and Housing PDS Committee at its meeting on 14 March 2024 and the Committee supported the recommendations.

RESOLVED: That

- 1. It be agreed to proceed to a closed tender for the works contracts for Mottingham Library, Chislehurst Library, Burnt Ash Library and Orpington Library at an estimated total value split across two contracts of £4m; and,**
- 2. It be agreed 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 two works contracts at estimated values of £1.4m (Burnt Ash and Chislehurst) and £2.6m (Mottingham and Orpington) as long as the winning tenders are affordable within the Operational Property Review library programme budget.**

**148 PROVISION OF AFFORDABLE HOUSING IN WEST WICKHAM
Report HPR2024/010**

The report recommended to the Executive that the West Wickham Housing Scheme was developed and funded as a fully socially rented housing scheme. This amended the previously agreed scheme, which was a mix of affordable and private, approved in February 2023 (report no. HPR 2023/009)

The report had been scrutinised by the Renewal Recreation and Housing PDS Committee on 14 March 2024 and the Committee supported the recommendations.

RESOLVED: That

- 1. The Capital Investment for the delivery of 26 new homes be approved, on the basis that all homes will be held for affordable housing, on the assumption the increase of GLA**

grant is approved. Noting this requires £4,717k of external borrowing for the Council (as detailed in section 6 of the report). If the revised GLA grant is not received, the scheme will remain as was previously agreed;

2. An additional revenue contribution of £244k be approved to part-finance the capital costs of the Library element of scheme, as detailed in section 6 of this report. Provision for this sum will be identified in central contingency as part of the 2023/24 revenue budget outturn (see also Q3 2023/24 Revenue budget monitoring report on the agenda for this meeting of Executive);
3. The required changes to be submitted via a planning variation be approved; and,
4. Any additional grants in relation to this scheme be accepted.

149 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.

150 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**

151 EXEMPT MINUTES OF THE MEETING HELD ON 7 FEBRUARY 2024

152 PART 2: BUDGET MONITORING 2023/24

The Executive noted the Part 2 information.

153 PART 2: ADULT MENTAL HEALTH RECOVERY AND REHABILITATION SUPPORT@HOME SERVICE

The Executive considered the report and approved the recommendations.

154 PART 2: RESIDENTIAL HOME CARE FOR OLDER PEOPLE BLOCK CONTRACT

The Executive considered the report and approved the recommendations.

155 PART 2 BIGGIN HILL UPDATE

The Executive noted the Part 2 information.

156 PART 2: OPR AWARD OF CONTRACTS FOR MULTIDISCIPLINARY SERVICES

The Executive considered the report and approved the recommendations.

Chairman

The Meeting ended at 8.25 pm