



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Graham Walton
graham.walton@bromley.gov.uk

DIRECT LINE: 020 8461 7743

FAX: 020 8290 0608

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COUNCIL

**Attached are the questions and answers
from the meeting of the Council held on 1st July 2013**

- 4 QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 3 - 4)**
- 5 ORAL QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 5 - 16)**
- 6 WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 17 - 26)**

Copies of the documents referred to above can be obtained from
www.bromley.gov.uk/meetings

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COUNCIL MEETING

1st JULY 2013

QUESTIONS FROM MEMBERS OF THE PUBLIC

For Oral reply:

1. From Jan Watkins of the Portfolio Holder for Public Protection and Safety

Does the Council think that it is right that for the past 3 years the local residents and schools have been subject to excessive trauma caused by Waste4fuel with the pollution in the atmosphere, stench of rubbish, rubbish carried by the wind, the threat of fires with disruption to traffic and danger to drivers using the A20, a residential street having a constant flow of heavy articulated lorries constantly rumbling past their homes and the constant beeping of Waste4fuel vehicles?

Reply:

Whilst the Council may agree that it is unjust that residents have been putting up with difficult conditions arising from the activities of the Waste4fuel site, the Council is not in a position to take any action to prevent this.

The site is licensed by the Environment Agency and they are the organisation which has the authority to take enforcement action against the owners of the site for breach of conditions and the specific activities mentioned in your question.

I understand that the Environment Agency is currently considering enforcement action against the company, which may include prosecution, but I am unable to confirm this at present.

I can also tell you that the Suspension Notice deadline ended on 10th June by which time the pile of waste was due to be removed. The Environment Agency inspected the site with the London Fire Brigade and noted that progress had been made. However, only about a third to a half of the material has been removed and the site is not fully compliant with the Notice requirements. Hence they are in breach of the Notice.

The Environment Agency is confident that the site has been complying with the in/out volume requirements but that the site has failed by under-estimating the amount of material it has in situ. The Suspension Notice is still in force and the permit is still suspended. The Environment agency state that Waste4fuel are making progress and that the fire risk is reducing. The London

Fire Brigade are still not happy as the fire risk remains and they want the waste removed as quickly as possible. All enforcement options are open to the Environment Agency but they have not yet decided if enforcement action will be instigated. They will be monitoring to ensure that the site continues to progress through removal of all waste materials and if they haven't done then that's the time they will consider what options are available to them.

Supplementary Question:

Ms Watkins asked, should the site fail yet again to meet the deadlines, at what point in time will the Council say "enough is enough" and exercise its duty of care for the local residents of St Paul's Cray under the realms of protection of public health and use its best offices to seek to use every possible leverage to encourage the Environment Agency to close it down.

Reply:

The Portfolio Holder repeated that this was a privately owned site and was nothing to do with the Council. The Environment Agency were taking the lead on this, they had given it a license and they had decided that they would leave it until the end of August in the hope that this was a reasonable deadline. It was up to the Environment Agency to make the decision at that point as to what they wished to do - there was nothing the Council could do.

For Written reply:

2. From Tim Fisher of the Portfolio Holder for Care Services

As a result of recent changes to housing benefits, has the London Borough of Bromley (LBB) relocated or offered to relocate LBB residents to less expensive parts of the country? If so, how many persons have been moved and how many have been offered a move?

Reply:

We have developed an options toolkit which aims to provide advice and assistance to those affected by the benefit changes to consider a range of options to mitigate the impact of the caps. This may include for example assistance to access employment to become exempt from the cap or accessing alternative more affordable accommodation. For some this may, indeed, mean choosing to move to areas with cheaper rents. So far we have moved about five families - this has been where they have family connections or work opportunities in areas where there is a greater supply of more affordable accommodation. We have about a further 19 households who have currently expressed an interest in this option. Where we do assist in moving to less expensive areas advice and assistance is offered for relocation and to access appropriate services in the area.

COUNCIL MEETING

1ST JULY 2013

ORAL QUESTIONS BY MEMBERS OF THE COUNCIL

1. From Councillor David McBride of the Portfolio Holder for Education

Is he satisfied with the level of support given by the Authority to schools who have an OFSTED grade of 3 or 4?

Reply:

In simple terms the answer is “no.” At around this time a year ago a decision was taken in the Education Department to move away from a sold services operation with regard to the application of support to the schools and to avoid the situation where support services were supplied to all schools in outstanding and good categories which were quite capable of finding their own support either from the national college, other schools or commercial organisations. A decision was taken at that time to concentrate on support activities for those schools in Ofsted categories 3 and 4 that needed the support of Council officers most. We have made considerable progress in that regard and moved away from the situation we had before and now a considerable amount of our support activities are specifically directed at those schools in Ofsted categories 3 and 4.

However, for the last few months we have been short of an officer for mathematics support and eight primary schools have not had the mathematics support that they should have received. That is being addressed as a matter of urgency and once that officer is in place I will be a little more satisfied with the degree of support we are giving to those category 3 and 4 schools.

Supplementary question:

Councillor McBride asked the Portfolio Holder whether he was satisfied that there had been two recent Ofsted reports where the Local Authority had been criticised for letting schools down and not giving them the support they deserved. He suggested that this was a symptom of the cuts agenda and staff not being able to support the schools in the borough most in need.

Reply:

Councillor Wells responded that he did have a degree of concern and was aware of the two schools involved. However, the Council was moving forwards and attempting to get into a situation where it was better able to support schools in categories 3 and 4. This process had been started a year ago and was still on-going. There was some concern that this

mathematics support was not available and the Council was actively seeking to fill the post.

2. From Councillor Nicholas Bennett of the Leader of the Council

What plans are the Council making as part of the national commemoration of the start of the 1st World War in August 1914?

Reply:

The Council is looking to make a number of arrangements to mark the outbreak of the 1st World War, with potentially a number of events and activities taking place across the borough in 2014. This will start in June with our annual Fly a Flag for our Armed Forces day on 23rd June very much expanded to include the visit of the Queen's Own Royal West Kent Living History Group. In addition from 1st July to 4th August depending on funding and other things becoming available, there will be various exhibitions across Bromley – Bromley at War talks, handling sessions, artifacts day and schools sessions.

Supplementary Question:

Councillor Bennett asked whether the Leader was aware of a five volume set of documents, published by the Council in 1999 and written by the late Barry Holroyd, Assistant Director for the Environment, and suggested that it would be a fitting tribute if the Council were to seek sponsorship for this to be re-printed. He also suggested that, given the condition of some of the borough's war memorials, and in conjunction with this, sponsorship could be sought to clean and repair some of the smaller memorials which were now in a state of disrepair.

Reply:

The Leader responded that it would be wholly appropriate to do this and he would discuss with Councillor Bennett and the officers whether this could be undertaken and sponsorship be sought.

(An indicative programme was laid round the chamber and is attached as Appendix 1.)

3. From Councillor Tom Papworth of the Portfolio Holder for Public Protection and Safety, the Chairman of the Development Control Committee and the Chairman of the General Purposes and Licensing Committee

To ask what powers they/their committees have to regulate the activities of shops selling drug paraphernalia and/or legal highs in the borough.

Reply:

Councillor Stevens confirmed that he was answering as Portfolio Holder but also on behalf of the two Chairmen identified by Councillor Papworth in his question.

Current drugs laws do not provide an effective means to effectively tackle the supply of new psychoactive substances (NPS). Whilst the Misuse of Drugs Act 1971 gives powers to police to take action this will only be the case where the NPS contains a controlled substance.

There are a range of consumer protection laws that might be considered in an effort to tackle NPS. For example there are a number of offences under the Consumer Protection Regulations 2006 which could be considered, one of which is the omission of important information which the average consumer needs to make a transactional decision. An example of an omission which could breach the CPRs could be a failure to state that a product could be damaging to human health. However, in order to circumvent this potential offence, suppliers have provided a clear statement that a product is “plant feeder-not for human consumption”. You could also argue that the average consumer in this case, namely a substance abuser, would not normally need that information to make the transactional decision. In reality, the CPRs and the General Product Safety Regulations (GPSRs) are not going to solve this problem.

Investigations into the supply of NPS indicate retailers and suppliers are going to extreme lengths to provide test certificates to show products are “legal” or that adequate labelling is used to circumvent legislation in the event they become the subject of interest by trading standards.

At present there are no licensing laws which would allow the local authority to apply restrictions on the activities of these shops and neither are there any planning laws.

Supplementary Question:

Councillor Papworth stated that this was what he had expected to hear, that the Council’s powers were nigh on zero. He asked, in view of the fact that Skunkworks had recently opened a shop in Anerley, what action the Portfolio Holder and his colleagues had taken to liaise with other organisations active in the borough that might be able to have some impact on whether this shop could trade and to make sure that it did not encourage anti-social behaviour in the area.

Reply:

Councillor Stevens responded that Trading Standards were monitoring these shops in Anerley and Orpington. Councillor Owen had been making representations to Jo Johnson MP and had asked him to raise this in Parliament. The Portfolio Holder hoped that a change in the law could be

made so that it was easier to control what these shops were selling and to stop them selling what the Council considered to be harmful drugs.

4. From Councillor Peter Fookes of the Portfolio Holder for Care Services (answered by the Leader)

What is the criteria for accessing extra care housing at Sutherland Court in Penge?

Reply:

Places in extra care housing schemes are allocated on the basis of individual needs assessed in accordance with the Council's eligibility criteria for social care services. Extra care housing provides accommodation with care for people who are no longer able to live in their own home even with support and who do not need the level of help given by a care home.

Supplementary Question:

Councillor Fookes asked why he had recently been contacted by two residents from Shortlands and Crystal Palace who had been denied access to this facility when reports to committee had stated that budgets were overspent. He found it bizarre that the Council had a facility that was not being used.

Reply:

Councillor Carr responded that there was demand for Council facilities but everything possible was done to support vulnerable people and to ensure that people did receive services. There had been issues with vacancies at extra care housing sites some years ago but he understood that there was more pressure now. There would potentially be waits to get access to this type of accommodation in the future.

Councillor Carr offered to look into the individual cases raised by Councillor Fookes.

5. From Councillor Kathy Bance MBE to the Portfolio Holder for the Environment

When will the consultation on the changes to the bus routes in Bromley North Village conclude?

Reply:

TfL's consultation has already ended.

Supplementary Question:

Councillor Bance asked whether, as the Council had a report from the Bromley Mobility Forum explaining the hardship that the proposals would cause, further changes could be looked at, also taking into account the impact on the High Street with EW Payne closing and other shops being affected.

Reply:

In response Councillor Smith read a letter he had sent on 28th June 2013 to the Forum –

“Dear Miss Marks,

I confirm I am in receipt of your letter dated 3rd June. With reference to your public meeting with TfL and LBB’s Mr Cole on 10th April it is my understanding that many differing views and opinions were expressed by those attending on the day as well as that no clear conclusion was reached amongst those doing so either. I am further led to understand that your concerns regarding TfL’s consultation being “inadequate” were raised directly with TfL who undertook to take away a number of points raised at that meeting and feed back to you with their findings in due course. I have subsequently been updated that this commitment on their part was discharged as recently as 25th June when their response was circulated at a meeting of the Bromley Mobility Forum and endorsed/accepted by those attending. If that is not the case or should you have further concerns it would be helpful for you to consult either Cllr Morgan or myself to understand precisely what they were. “

Councillor Smith stated that there was no clear consensus on what would provide a perfect arrangement in Bromley North. He and Councillor Morgan believed that this was the best available opportunity to secure improvements and that seemed to have been broadly understood by the Bromley Mobility Forum.

6. From Councillor David McBride of the Portfolio Holder for Public Protection and Safety

Will he join me in asking the Environment Agency to permanently remove the licence for the Waste4Fuel site in St Paul's Cray?

Reply:

Whilst I completely agree and understand your concerns, we may have to leave matters in the hands for the Environment Agency who license this site, and although Waste4Fuel, have missed the first deadline they are being closely monitored by the Environment Agency.

As frustrating as it is for us locally the resolution to this problem does indeed lie with the Environment Agency.

I am happy to advise Councillor McBride, that some local Councillors have been involved with meeting with the Environment Agency to resolve this problem and will continue to be so. The Council will continue to monitor the site with the expectation that all the rubbish will be cleared by the end of August which has been agreed by the Environment Agency.

Supplementary Question:

Councillor McBride mentioned that there had been six blazes at the site in the last three months, including a nine day fire in March, numerous enforcement and health and safety improvement notices and six breaches of the Health and Safety at Work Act. He understood that the Portfolio holder could not shut the site down, but he asked that he join with residents and write to the Environment Agency stating that the Council thought that the licence should be removed.

Reply:

Councillor Stevens stated that he had made the Council's position very clear – this was a private site, it was licensed by the Environment Agency and it was not licensed by the Council. The Environment Agency were working very closely with officers from the Council and the London Fire Brigade and at this stage the council would be guided by these professionals and would not be making any decisions. The Environment Agency had issued a clear deadline that they expected the site to be cleared by the end of August. He was totally in sympathy with the residents and all parties wanted to work together to find the right resolution to this problem. It had to be left in the hands of the Environment Agency; the Council had made its views very clear but they were leading on this matter.

Further Supplementary Question:

Councillor Peter Fookes asked whether it would be possible to hold a special PDS meeting and invite the Environment agency and Bob Neill MP to attend to try to resolve the matter before the end of August.

Reply:

Councillor Stevens responded that it had not been possible to arrange for the matter to be discussed at short notice at Environment PDS Committee, but Public Protection and Safety PDS Committee would consider this at its next meeting in September, and he had asked the Director to ensure that the Environment Agency were present so that they could be questioned by Councillors.

7. From Councillor Nicholas Bennett of the Portfolio Holder for Resources

Why was the answer to my question at the February meeting on the total gas and electricity consumption not, as requested, based on the same criteria as the original question in 2008 - thus making any meaningful comparison impossible and preventing any judgement as to whether the Council's carbon reduction programme has been successful? If he will now provide the information in the format requested or else state why it cannot be provided?

Reply:

The response to the original question in 2008 referred to "council buildings" Unfortunately the response did not specify which council buildings were included, nor did the response specify the source of the information provided. It is believed that the 2008 information was based on procurement data multiplied by the then unit rates, but as the officers who provided the original information in 2008 are no longer employed by the Council, it is not possible to say definitively on what basis the 2008 information was calculated and therefore produce information in 2013 that provides a direct comparison.

The answer provided in 2013 clearly states the building (Civic Centre) and the source of the data, so that if the information is requested in the future a direct comparison can be possible.

A more complete picture concerning progress in relation to carbon reduction / energy demand management across the board (expressed as carbon but derived from kWh consumption) is provided in the Carbon Management Programme Executive 2011/12 Report (Executive: 28 November 2012) which shows *inter alia*:

- Tables 1 & 2: Progress against baseline and annual progress
- Table 4: Avoided consumption and spend – i.e. the positive impact of measures undertaken

2012/13 consumption data is currently being compiled and electricity and gas data (inc. Schools and SL) and will be reported to the Executive in the Carbon Management Programme 2012/13 Report in due course.

Supplementary Question:

Councillor Bennett asked for an assurance that should the current officers leave the Council then their successors could not claim that it was impossible to provide comparative data.

Reply:

Councillor Arthur responded that it would be difficult to give an assurance of this type, but he did commend the report he had mentioned which showed an increasingly positive picture.

8. From Councillor Peter Fookes of the Portfolio Holder for Care Services (answered by the Leader)

What provision is being made by the Council for those people who are forced out of the private rented sector by the cuts imposed by your government?

Reply:

We provide advice and assistance for those households at risk of losing private rented accommodation as a result of the recent changes to welfare reform. In the first instance this will involve pursuing a range of options to try and prevent homelessness occurring including negotiations with the landlord regarding rental levels and payment terms, assistance to the household to access training and employment. Where this is not possible we will assist the household to consider a range of alternative housing options which may be available based on their individual circumstances for example, moving to less expensive areas, possibly moving to live near or with relatives and so on. We have however seen an increase in the number of households who are statutory homeless following loss of private rented accommodation and where alternative housing options are not viable those households who become unintentionally homeless through this route and fall within a priority need category, are assisted by the Council through the statutory homelessness route and are provided with temporary accommodation whilst a more settled housing solution can be accessed.

Supplementary Question:

Councillor Fookes suggested that this was going against the Council policy of having balanced and mixed communities and that the Council should be accepting these residents onto the housing register rather than making it increasingly difficult for people to get on.

Reply:

The Leader stated that he disagreed with Councillor Fookes and that therefore his answer was “no.”

9. From Councillor Kathy Bance MBE of the Portfolio Holder for Public Protection and Safety

How many mobile CCTV cameras are there in Bromley and how long is the waiting list for their use?

Reply:

We have six mobile systems that we can use outdoors. Each system can accommodate up to six cameras, used together to obtain the necessary views and we also have four mobile systems that we can use indoors.

We have two covert surveillance vehicles, although one vehicle is currently out of use as it is being refitted at this time.

We are currently deploying all systems plus the single vehicle that we have, although one of the systems (two cameras) were recently stolen and are in the process of being replaced.

Supplementary Question:

Councillor Bance thanked the Portfolio Holder for the work being done in her area of the borough and asked whether there was any opportunity to increase the number of mobile cameras to deal with specific hotspots. She stated that there had been two murders in known hotspots in the last four years and there were still several other hotspots that should be monitored to prevent any further incidents.

Reply:

Councillor Stevens responded that he was aware of the terrible circumstances of the two murders in Penge. The Council had reacted on the first occasion by placing a camera on the bridge and was waiting to hear from the Safer Neighbourhood Team to see whether there was a need for further cameras in the area after the recent incident. When that bid came in the Council would consider whether there was a camera available and how much the cost would be and act on the advice of the Police as it had done across the borough in recent years where a number of cameras had been installed at the request of councillors.

Further Supplementary Question:

Councillor Tom Papworth asked whether the Council had good coverage of the theft of the two cameras, or was the film too grainy to be used?

Reply:

Councillor Stevens declined to answer what he considered to be a frivolous question.

10. From Councillor Nicholas Bennett of the Portfolio Holder for the Environment

What representations has he made to *Transport for London* regarding the Mayor's proposal to extend the Bakerloo Line to Hayes over the existing Network Rail Tracks?

Reply:

Councillor Smith stated that there had been numerous and on-going conversations not only with Transport for London but perhaps more importantly with the GLA family about the potential to extend the Bakerloo Line to Hayes. It remained firmly the Council's view that the priority for the borough was to extend the DLR in whatever form to Bromley North and ideally to Bromley South. This would cost approximately £800m as opposed to extending the Bakerloo line which would cost roughly £2.2bn but would also provide less direct connections into London for Bromley residents living along that route.

There had been a significant number of discussions, these remained on-going, and recent meetings had been attended not only by himself but also the Leader and the Portfolio Holder for Renewal and Recreation. It was necessary to stick with these discussions as it was likely that the borough could only expect one major project to be implemented soon, and it was vital that this was the right one to regenerate Bromley town centre, create jobs and enhance business rate retention. Bromley town centre was the focus of the message.

Supplementary Question:

Councillor Bennett asked whether the Portfolio Holder shared his concern and that of his constituents in West Wickham that they would be getting a raw deal if full sized trains were replaced with smaller tube trains meaning more people would have to stand for a slower service, not going to the parts of London where the train currently went.

Reply:

Councillor Smith stated that he agreed that this was a real risk. It would be necessary to look at the level of detail were TfL determined to press ahead with their scheme. He hoped that they would listen to the fact that this was not a local political priority.

11. From Councillor Peter Fookes to the Portfolio Holder for Public Protection and Safety

Why are charities being threatened with prosecution when rubbish is dumped on their land?

Reply:

As with any landowner or business Charities would have a responsibility to manage this “dumping” on their land, as the owner becomes legally responsible for the rubbish, once it is dumped.

Also, in disposing of any unwanted material, they must ensure that it is done in accordance with current legal requirements for the disposal of waste.

Supplementary Question:

Councillor Fookes stated that it was very unfair on property owners, for example in Penge where the Council was threatening to prosecute the Salvation Army, when it should be prosecuting the perpetrators of the crime. He asked why the Council was not addressing the underlying problem.

Reply:

Councillor Stevens agreed that it would be better to prosecute the perpetrators but the problem was that the Council had to follow the law which was quite clear. He was aware that charity shops put up notices to explain when donations could be received but they had to take responsibility for what was left on their forecourts.

Further Supplementary Question:

Councillor Nicholas Bennett asked whether Councillor Stevens was aware of the situation at The Studio. Councillors for Clock House Ward and himself had raised the issue of tyres piled up there that had been dumped. Part of the problem was that there was no CCTV and the gate to the premises was not very secure. There was clearly a responsibility both on the perpetrators but also on the people who owned such sites to make sure that proper precautions were in place such as CCTV so that they could establish who was responsible for dumping things.

Reply:

Councillor Stevens responded that he was not aware of this situation, but the director would investigate and respond.

Appendix 1 (Question 2)

Bromley Palace Park, 23rd June 2014

Fly a Flag for our Forces

Mayoral and Civic Services will organise the annual morning commemoration. Since signing the Armed Forces Covenant in April 2013 the list of invitees will be larger than in previous years. In addition the event will be publicised for the first time allowing residents to take part.

RAF large ensemble band

A request has been placed with the RAF for a band to play as part of the Fly a Flag for our Forces commemoration. The request is for music from the arrival of guests through to their departure (approximately 1 hour in total). We will be informed early in 2014 if our request has been successful.

The Queen's Own Royal West Kent Regiment Living History Group (50th & 97th)*

will be on site for the whole day offering an opportunity for invited guests, staff, local residents and schools to learn about the uniforms, weapons, equipment, training and everyday life of the Great War soldiers. It is anticipated the public will visit this display in the morning with schools invited to attend in support of National Curriculum activities in the afternoon.

1st July – 4th August 2014

Subject to a successful Heritage Lottery Fund grant application by Bromley Local Studies and Archives Service:

Bromley at War exhibitions

Exhibitions will be held at Bromley Museum and in Beckenham and Bromley. The main exhibition will be at the museum with pop-up taster exhibitions at the other two locations that will signpost visitors to the museum's main exhibition.

Bromley at War talks

Bromley Museum's Curator, will take a programme of World War One talks on a tour of the borough's libraries.

Bromley at War handling sessions

Bromley Museum's Service will deliver handling and craft activities for families at Bromley Museum and on an outreach basis in libraries around the borough.

WWI Artefacts Day

Bromley's local communities will be invited to a special day at Bromley Museum where they can bring their own family memorabilia to discuss and show to other members of the community, museum, local studies and archives staff. The day seeks to encourage reminiscence, inter-generational connection and oral histories.

October – November 2014

Subject to a successful Heritage Lottery Fund grant application by Bromley Local Studies and Archives Service:

Bromley at War school sessions

Bromley Museum's Education Officer, will deliver handling and learning sessions in schools around the borough on World War One and tied in to Remembrance Sunday.

COUNCIL MEETING

1ST JULY 2013

WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL

1. From Councillor Russell Mellor of the Leader of the Council

My question to Council of the 27th February omitted to provide the salary scales as requested, can you provide the appropriate information.

Reply:

The salary scales for staff including Management Grade staff are posted on OneBromley under 'Localised Pay.'

2. From Councillor Russell Mellor of the Leader of the Council

I would be obliged if the Leader could advise me as to the scale, or scales, of compensation that an owner can claim if the Community Right to Bid under the Localism Act 2011 is not activated by a Community Group prior to the cessation of the Moratorium period.

Reply:

If an owner of a listed asset notifies the Council of their intention to dispose of the asset, the interim 6 week moratorium period commences. During this period the Council must publicise locally the owner's intention to dispose, amend the list and notify the nominating group. Any community group has until the end of the interim moratorium period to make a written request to be treated as a potential bidder. When this happens the full moratorium period of 6 months applies.

An owner can claim compensation for loss and expense incurred through the asset being listed. The claim can be for delay in entering into a binding agreement to sell which is wholly caused by the interim or full moratorium period and for legal expenses associated with a successful appeal to a Tribunal. The owner must make his/her claim in writing, state the amount and provide supporting evidence. The Council must then consider the claim and provide written reasons for its decision.

3. From Councillor David McBride of the Portfolio Holder for Public Protection and Safety?

When will there be an operational CCTV camera in Star Lane?

Reply:

The proposed camera for Star Lane has been installed and connected to the system and it is currently subject to testing. It should be fully operational and viewable in the Civic Centre control room by June 30th.

4. From Councillor Nicholas Bennett of the Portfolio Holder for Renewal and Recreation

If he will provide the following statistics to update the answer given by his predecessor on 20th November 2006 and that on 28th June 2010, how many borrowings and visitors were recorded at each library for each year since 2009-10?

Reply:

See appendix 1 attached.

5. From Councillor Nicholas Bennett of the Chairman of the Development Control Committee

If he will provide for each of the past three years the following information;

- i. Number of planning applications received;
- ii. Number approved under delegated powers;
- iii. Number refused under delegated powers;
- iv. Number approved by committee;
- v. Number refused by committee;
- vi. Number approved on appeal;
- vii. Number refused on appeal?

Reply:

The answers are set out in appendix 2. These figures are based on the statutory government returns. The numbers of applications and appeals received and determined do not exactly tally as some applications are submitted and determined in different financial years, hence the three separate tables.

6. From Councillor Nicholas Bennett of the Portfolio Holder for Education

What progress he has made with the Catholic Archdiocese of Southwark with regard to the establishment of a Catholic Secondary School in the borough?

Reply:

The local authority has met representatives of the Catholic Archdiocese of Southwark and discussed the proposal for a secondary school in the context of the review.

Numbers would be justified by the anticipated growth in rolls and should not represent a concern to other schools given the timescale needed to consult, to secure funding and to build.

There is a desire for a five forms of entry (5FE) mixed school with a sixth form. However, the Archdiocese are not planning that this would be on the existing All Saints site and would want to release this site for disposal.

Other sites in the ownership of the Archdiocese have been put forward. These are more central to the borough and the local authority has requested that the Archdiocese commissions an option appraisal, on an agreed brief, to determine which of these may be suitable and to inform the review process.

Approval of a new site would be a necessary condition for the disposal of All Saints and planning considerations are key.

Options for funding the capital costs would also need to be discussed, whether by the Basic Need Grant or through the Free School route.

This would be reported to PDS Committee in the autumn

7. From Councillor Peter Fookes of the Portfolio Holder for Resources –

Given that I have raised the issue of the Lodge in Penge Recreation Ground on many occasions, is it not now time for the Council to make this property fit for human habitation and to put a charge on it accordingly?

Reply:

Penge Lodge is in excellent condition internally and externally and requires only decoration in the living room and white goods in the kitchen prior to being let or sold.

The owner has spent in excess of £70,000 refurbishing the property to a high standard. The windows and door have been replaced, but remain boarded externally to prevent vandalism.

The Empty Property Officer remains in regular contact with the owner who has previously offered to show members around the property if they wish to view.

8. From Councillor Peter Fookes of the Portfolio Holder for Resources

Given that Bromley are now responsible for the administration of crisis loans with effect from April 2013, what provision is being made for this service being available to the residents of Bromley?

Reply:

Full details of the proposed scheme for Bromley residents was contained in a report to the Resources Portfolio Holder at the meeting of Executive and Resources PDS Committee on 27th March 2013 entitled "Local Welfare Provision (Bromley Welfare Fund)". Appendix 1 to the report advised of the objectives and eligibility criteria of the scheme.

Members agreed the proposals contained in the report relating to the new Bromley Welfare Fund.

9. From Councillor Peter Fookes of the Portfolio Holder for Care Services

What is the procedure for residents and charities who contact the Council out of hours with a client who is homeless and does this apply to people from overseas?

Reply:

There is a statutory requirement for us to run a 24 hour emergency service. Essentially if anyone is homeless out of hours they will contact the Council's emergency out of hours number, this takes them through to the call centre who will undertake initial triage of the case to provide basic advice and establish whether they are actually immediately homeless. If this is the case then they will be passed through to the housing needs officer who is on duty at this time. They are able to provide emergency advice and if appropriate make a placement into temporary accommodation, women's refuge etc as required. In terms of persons from abroad then the assistance provided will depend on their immigration status and eligibility for services in terms of the homelessness legislation, Children's act, national assistance act etc. the call centre provides the initial point of contact for both housing and social care and will direct as appropriate. If status is not clear then the case will be passed across to the duty officers who will liaise and agree on a way forward to assist.

10. From Councillor Tony Owen of the Portfolio Holder for Public Protection and Safety

What is the borough strategy towards so called 'legal highs' be they obtained from khat (an illegal drug in USA) or products bought from the Skunkworks franchise shops?

Reply:

Trading Standards and Police have carried out visits to the Orpington premises and found no illegal activity. The products on sale are at present legal. They do not fall under the control of the Misuse of Drugs Act 1971.

I will continue to lobby for the introduction of effective legislation, both in prohibiting these substances and to introduce a licensing scheme in order that local authorities can control the emerging trends of these retail outlets. I will continue to seek updates on the current legislative position in relation to the on-going criminal sanctions which are taking place in Hampshire, and I will ensure Trading Standards and Police are working together to closely monitor the activities of these shops.

11. From Councillor Tony Owen of the Portfolio Holder for Resources

Is there any chance of Members getting decent access to the internet from Council laptops?

At present access can only be made via Citrix using an obsolete version of Internet Explorer that is not supported by many websites and is known to be insecure.

Reply:

The internet can be accessed from a Bromley laptop in two ways. The first is as suggested via Citrix. The other is to use the local internet connection either from a home broadband service or from a Wi-Fi hotspot which will give unrestricted access to the internet, subject to any local restrictions or policies.

With regards to the browser we are in the final stages of Internet Explorer 8 (IE8) compatibility testing with the Bromley Line of Business systems, and will shortly be rolling it out across the estate as part of the changes to the HR self-service system. If any Member would like to be upgraded to IE8 in advance of the main rollout, please contact Democratic Services and this can be arranged.

We are working with Capita on two projects for the laptops. The first is to update the existing XP laptop build to bring about some speed improvements following problems that some users have experienced since we changed to a new internet service provider. The second is the Windows 7 project, which will change and greatly simplify the way we use the Laptops and give a much better user experience. This will have the latest version of internet explorer possible. We are also looking at options for supporting other browsers such as Google Chrome and would welcome any feedback regarding other browsers that people use.

The members New Technology Working Group have made recommendations regarding the provision of ICT equipment in the future, based upon tablets and simplifying the requirements, and these will be worked up into firm proposals for Member approval.

12. From Councillor Kathy Bance MBE of the Portfolio Holder for Renewal and Recreation:

At the June Executive meeting, He promised that action was imminent over the Porcupine Pub in Mottingham. When will his special meeting be held?

Reply:

A special meeting to consider an Article 4 Direction is not required at the present time as Lidl have confirmed that they will not demolish the building before submitting their planning application to redevelop the site.

The Council have refused the 'Part 31' prior approval application in respect of the proposed demolition of the Porcupine. Bob Neill MP recently met with Lidl and they have agreed that they will submit a full planning application for the redevelopment of the site and will not pursue the demolition via permitted development.

The Article 4 Direction would have prevented the exercising of permitted development rights which allowed demolition, so as Lidl are not proposing to use those rights, we are not proposing to consider the Article 4 Direction in the foreseeable future. Should a further Part 31 application be submitted, we could consider an Article 4 Direction at that time. The building cannot be demolished without either approval under a 'Part 31' application, or as part of a planning permission. A planning application would be reported to Plans Sub Committee once received and considered.

13. From Councillor John Getgood of the Portfolio Holder for Renewal and Recreation:

What penalty clauses have been imposed on the contractor as a result of the relaying of paving in Orpington High Street?

Reply:

As the defects in Orpington High Street were identified during the two year guarantee period, and remedial works completed by the contractor at their expense within an agreed timescale, no penalty payments have been charged to the contractor.

14. From Councillor John Getgood of the Portfolio Holder for Care Services

How many homes in Bromley are empty and what efforts are being made to get them back into use? Will the Council use Compulsory Purchase Powers if the land owner does not wish to engage?

Reply:

883 homes were registered empty for more than 6 months as at 26th May 2013.

The Empty Property Officer is in contact with all owners of long term empty properties and currently mailing them in batches to advise of funding opportunities and to offer advice and assistance to help bring properties back into use. Where properties are giving rise to specific nuisance issues then statutory action is taken to resolve the issues via Planning, Building Control and Public Protection and Council Tax and this action is usually coordinated by the Empty Property officer.

Where owners will not engage and the properties exceed a member agreed rating system for an Empty Dwelling Management Order (EDMO), then this process is commenced. An EDMO allows the Council to take control of a property, undertake repairs and let the property. The next hearing for an

application for an EDMO is the 5th of August for a property in Penge. Two other long term empties are also being prepared for an interim EDMO application. Compulsory Purchase is used very infrequently as it has a high cost to the Council and not all costs can be recovered. The EDMO process is an effective and cost neutral alternative.

15. From Councillor John Getgood of the Portfolio Holder for Resources

What is the procedure for informing all councillors when a contractor goes into receivership? Should the Portfolio Holder not be required to report this to the next meeting of his/her PDS?

Reply:

The action required will depend on the value, nature and impact of the contract including, for example, the impact on the service to residents and alternative provision available. In the event of any issues with contractors which might present a risk to service officers would normally brief the Portfolio Holder at an early stage. Once the impact was clear and there were decisions to be made which required Portfolio Holder or wider Member approval, officers would prepare a formal report and normally this would be pre-scrutinised by relevant PDS Committee.

Such situations for high value contacts would also be reported within the contract register which is submitted to PDS Committees.

Not all circumstances would result in the need for Portfolio Holder approval/ decision.

16. From Councillor Simon Fawthrop of the Chairman of the Development Control Committee (to be asked at every Council Meeting)

What pre-application meetings have taken place since the last full Council Meeting between Council Officers and potential planning applicants? Can these be listed as follows:-

The name of the potential applicant, the site address being considered.

Reply:

There have been 44 Householder pre-application meetings and 43 Non-Householder Minor pre-application meetings between 23rd February and 24th June 2013.

As you are aware details of individual applicants and sites at present is exempt information and not disclosable in response to a Council Question.

Appendix 1 – Question 4

Issues	2009-10	2010-11	%change	2011-12	%change	2012-13	%change
Anerley	36,460	34,649	-5.0	32,796	-5.3	29,492	-10
Beckenham	283,234	266,756	-6.0	260,838	-2.2	233,254	-11
Biggin Hill	71,903	91,494	27.5	81,377	-11.1	73,311	-10
Burnt Ash	22,239	22,951	3.2	19,736	-14.0	17,928	-9
Central	458,214	430,402	-6.0	393,099	-8.7	353,046	-10
Chislehurst	115,246	112,964	-2.0	104,305	-7.7	91,673	-12
Hayes	43,848	40,805	-7.0	38,815	-4.9	33,929	-13
Mobile Library	31,636	30,978	-2.0	27,381	-11.6	22,046	-19
Mottingham	35,081	32,243	-8.0	31,837	-1.3	28,788	-10
Orpington	273,713	249,401	-9.0	265,623	6.5	233,988	-12
Penge	38,560	39,661	3.0	36,236	-8.6	33,187	-8
Petts Wood	135,546	129,473	-4.5	120,171	-7.2	102,598	-15
Shortlands	52,976	49,465	-6.5	46,728	-5.5	41,196	-12
Southborough	68,203	63,531	-7.0	57,243	-9.9	54,583	-5
St Pauls Cray	42,148	40,369	-4.0	34,725	-14.0	29,149	-16
West Wickham	151,411	145,897	-4.0	134,743	-7.6	118,671	-12
Total	1,860,418	1,781,039	-4.0	1,685,653	-7.0	1,496,839	-11.0

Visits	2009-10	2010-11	%change	2011-12	%change	2012-13	%change
Anerley	63,922	58,371	-8.6	53,572	-8.2	54,107	1
Beckenham	204,014	200,148	-2.0	199,063	-0.5	177,477	-11
Biggin Hill	91,284	209,577	130.0	244,853	16.8	247,462	1
Burnt Ash	32,375	30,794	-5.0	28,432	-7.7	28,221	-1
Central	640,172	603,270	-5.5	551,873	-8.5	475,449	-14
Chislehurst	100,354	97,700	-2.5	93,525	-4.3	88,440	-5
Hayes	38,207	36,596	-4.0	35,718	-2.4	33,236	-7
Mobile Library	27,775	28,757	3.5	23,886	-16.9	20,561	-14
Mottingham	46,955	45,015	-4.0	46,729	3.8	41,870	-10
Orpington	199,028	186,977	-6.0	320,772	71.6	319,180	-0.5
Penge	99,386	95,257	-4.0	88,324	-7.3	81,902	-7
Petts Wood	112,214	116,731	4.0	109,687	-6.0	102,727	-6
Shortlands	43,238	42,019	-3.0	38,365	-8.7	34,706	-12
Southborough	34,407	33,620	-2.3	34,684	3.2	33,662	-3
St Pauls Cray	59,856	55,339	-7.5	47,942	-13.4	44,121	-8
West Wickham	149,386	149,629	0.2	140,536	-6.1	130,344	-7
Total	1,942,573	1,989,800	2.0	2,057,961	3.4	1,913,465	-7.0

Appendix 2 – Question 5

Total Planning Applications Received	
Financial Year	Total Number of Applications
FY201-11	3,074
FY2011-12	3,163
FY 2012-13	3,173
FY 2013-14 (to 28 June)	777

Total Applications Received by Method of Determination						
Financial Year	Delegated Decisions		Committee Decisions		Totals	
	Permitted	Refused	Permitted	Refused	Permitted	Refused
FY201-11	2,081	452	266	109	2,533	375
FY2011-12	2,053	619	254	101	2,672	355
FY2012-13	1,972	667	231	117	2,649	348
FY 2013-14 (to 28 June)	563	169	49	33	732	82

Total Planning Applications Decided			
Financial Year	Allowed	Dismissed	Totals
FY2010-11	93	144	237
FY2011-12	84	116	200
FY 2012-13	91	144	235
FY 2013-14 (to 28 June)	30	29	59