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COUNCIL

Monday 29 June 2015

Replies to oral questions are set out in the attached summaries.

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Copies of the documents referred to above can be obtained from
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COUNCIL MEETING

29TH JUNE 2015

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

1. From Mrs S Stribling to the Portfolio Holder for Renewal & Recreation

Why are Bromley Council even considering Biggin Hill's proposals to extend the operating hours/flying times, when they know what a negative effect this will have on the PRU hospital's patients and staff, as it is only 1 ½ miles from the flightpath and planes fly over the hospital on descent?

Reply:

The Council as I said in my statement is legally obliged by the lease to consider proposals from its tenant and this proposal given what I said earlier might just make the situation better and not worse. It is not accepted that there is a particular problem for the PRUH.

Supplementary Question:

The PRUH is the only hospital in the UK to be situated just two miles from the airport touchdown with planes flying just 700 feet above the hospital. There is no air conditioning - I sampled that myself - and the windows have to be open for ventilation. You have proposed to agree to increase the hours of flight over the hospital from 6.30am until 11.30pm. In the minutes of the meeting on 25th March which I attended the acoustics consultant Cole Jarman stated that Biggin Hill received larger aircraft with increased noise. As the PRUH is directly under the flightpath how can you justify this?

Reply:

As I said, we have a duty to consider all such requests and we are doing so and we have to weigh the balance of positives and negatives. I might add that I have recently unfortunately spent three days and three nights in the PRUH and I did not notice a single aircraft.

2. From Mrs S Stribling to the Portfolio Holder for Renewal & Recreation

As there are no guarantees whatsoever to reduce noise levels and we are only being quoted what the aims are, how will Bromley Council tackle the problem of ventilation in the PRU hospital, as there is no air conditioning and the only ventilation is by opening the windows?

Reply:

Actually, mechanical ventilation can be provided to the wards with the windows closed although of course the windows can be opened for additional ventilation if desired.

The Council has not yet agreed to anything and the PRUH's lack of ventilation would be something that the NHS or the Trust can improve if they so desire – they built the hospital knowing there was an airport nearby.

The Department of Health 'Specialist Services Health Technical Memorandum 08-01: Acoustics' contains criteria for noise intrusion from external sources. With regard to wards there is no limit for maximum noise level during the day. At night, a level of 45 dB L_{Amax} is given when the windows are fully closed. The operating hours of Biggin Hill Airport are however restricted so that night flights do not occur. In a study in 2009, with the windows closed many of the daytime flights would have met even that night-time criteria.

Supplementary Question:

The Council propose to allow flights from 6.30am until 11pm Monday to Saturday. As the councillors have mentioned grants to many residents this tells me that the Council is fully aware that noise levels will increase and how can it possibly benefit patients. Windows must to be open for ventilation. It's not going to work, you've got to open those windows. I was there for five weeks and believe me you do. You must have been very lucky on your week.

Reply:

Hospitals usually wake up at about 6am I can tell you to my cost. Flights do not begin until 6.30am and therefore we are not waking folk up as the nurses have already done that job.

3. From Mrs S Stribling to the Portfolio Holder for Renewal & Recreation

Did Bromley Council include the PRU hospital in their survey and make the hospital aware of the proposals to extend BHAL's operating/flying hours and to fly larger and more planes over the hospital, considering how the hospital opposed the extension three years ago?

Reply:

The PRUH could have responded with the 40,000 who did had the hospital wished to. It is not true to suggest that the PRUH objected to anything 3 years ago. The Council's consultation was open to anyone and any organisation to respond to but was specifically targeted at residents rather than organisations. BHAL have not proposed to operate larger planes than are currently permitted, and neither are they proposing any increase to the total number of movements.

Supplementary Question:

As the increased hours will have serious implications for the hospital, one would have expected Bromley Council to include the PRUH and Kings as formal consultees and to have held meetings with them in advance of the agreement on 25th March. However, I have a letter here dated 4th June from Kings College Hospital and the PRUH stating that the Council did not include them as a formal consultee and in fact Kings are having to approach the Council to request a formal meeting this late in the day. I personally find this extremely alarming. Could you please explain?

Reply:

Telephones work both ways – I don't understand why the hospital did not get in touch – they must have known all about this and I am very happy to talk to them even now.

4. From Mr Peter Zieminski to the Portfolio Holder for Renewal & Recreation

Helicopters are particularly noisy and fly lower than the permitted 1,000' above residential areas. Can LBB insist that arriving/departing helicopters descend from and lift to not less than 1,000' within the airport boundary and can they also route from and to Biggin Hill even higher?

Reply:

Movements, including those of helicopters are covered in operating criteria and cannot be changed without the agreement of both the landlord, the Council and the tenant, the Airport.

5. From Mr Peter Zieminski to the Portfolio Holder for Renewal & Recreation

As helicopters are generally very noisy, are they permitted to use the airport given the restrictions in the lease under the Third Schedule, Operating Criteria, part (f) and has the Council's Chief Environmental Health Officer undertaken measured noise data tests in accordance therewith since the proliferation of helicopter movements?

Reply:

Yes, they are permitted.

6. From Mr Peter Zieminski to the Portfolio Holder for Renewal & Recreation

Are there any proposals to amend the current flight tracks to permit aircraft to fly directly over Keston Village?

Reply:

The Council supports the Airport's proposals to route flightpaths away from residential property and understands but acknowledges that CAA approval is required.

Supplementary Question:

How specifically will local residents be involved and consulted over any proposals to amend the flight-tracks for the future of Biggin Hill Airport's use?

Reply:

That will be extremely difficult to arrange as we have these huge safety concerns and the CAA involved. Even with the Airport talking to the CAA and us as bystanders it is very difficult to get any kind of decision. We do not know quite where it will be yet. We do support the Airport's desire to route flightpaths as far as way from residents as is practical and we will do that. We do understand the concerns and it is our desire to make sure that residents are disturbed as little as possible. To have local residents

all around the borough involved in consultation is going to be a complete nightmare – I don't think we could ever do that.

7. From Guy Marks to the Portfolio Holder for Renewal & Recreation

Is it possible to only permit any change in operating hours once BHAL can prove noise levels have been reduced and when they have implemented the proposed '03 runway approach' of aircraft at above 3000ft above sea level (bearing in mind Biggin Hill is approx. 690ft above sea level)? *Reason being why should BHAL bother once they have got the change in operating hours.*

Reply:

Legally, the Council cannot unreasonably withhold permission but is in discussions with the Airport to see what improvements to current circumstances can be made, with no agreement made.

8. From Guy Marks to the Portfolio Holder for Renewal & Recreation

What limits are there on the size of aircraft using Biggin Hill Airport? *Reason being we could have privately owned large jets using the airport.*

Reply:

There is no limit on the size or the weight of aircraft permitted to use the Airport. The Lease limits the aircraft by reference to the noise criteria and the runway length also indirectly limits the size.

9. From Guy Marks to the Portfolio Holder for Renewal & Recreation

How will breaches in noise level limits be dealt with? *Reason being there must be an appropriate deterrent that is enforceable in law otherwise it's a waste of time*

Reply:

The Airport is accountable for breaches in the lease and operating criteria. Any hypothetical and theoretical future agreement would need breaches to be dealt with as the Airport have publicly agreed.

10. From Michael Page to the Portfolio Holder for Renewal & Recreation

Why did the Council totally disregard medical science and put the potential 2,500 jobs offered by B.H.A.L ahead of tens of thousands of residents who will now suffer with many serious medical conditions and who's children will suffer growth problems and learning difficulties and disrupted sleep.

Reply:

The Council has sought independent expert advice on matters relating to noise levels and relies upon government guidelines rather than the subjective perception of individuals whose personal experience will vary.

Supplementary Question:

By allowing over 5,000 aircraft movements in the first and last 30 minutes of the extended opening hours and no cap on the previous 30 minutes, this will deprive children of over 10,000 hours of sleep during their 13 years of schooling. How is this protecting the borough?

Reply:

Clearly it would be better if we had no airport at all, but we do have an airport and we just have to deal with the situation as it is and do our very best for residents. I'm not sure where that number came from, it does not sound a number I am familiar with. (16 a day over a year is 5,800.) That is rather more than I thought.

11. From Michael Page to the Portfolio Holder for Renewal & Recreation

In the Council's assessment document:

Why did the Council not disclose the Medical facts that saying yes to the extended flying hours would probably cause local residents major medical conditions which in turn would put a greater burden on the local N.H.S.

Reply:

I am not sure what medical fact is being referred to but it needs to be remembered that part of the Council's objectives is to improve the current situation.

12. From Michael Page to the Portfolio Holder for Renewal & Recreation

Being responsible for the decision that almost certainly condemns this and future generations to underachieve academically and suffer from various medical conditions (which I wanted to explain earlier) earlier death than would be anticipated. What financial provisions have the council put in place to protect the borough against future claims?

Reply:

Bromley pupils have a long and proud record of academic achievement which will continue irrespective of any decision which has not been made and which may serve to reduce noise nuisance.

13. From Carole and David Murray to the Portfolio Holder for Renewal & Recreation

In the information we were given to consider when voting, there was no mention of the increase in the helicopter flights to transport people on from the airport. Could you please tell us how many more helicopter flights there will be as these fly very low and are extremely noisy.

Reply:

Helicopter flights are included in the overall volume of permitted movements within the current arrangements, with no decisions taken regarding the future. Nevertheless, the subject of helicopters is of interest to local people and was raised at the Council's Executive meeting and remains part of discussions.

14. From Carole and David Murray to the Portfolio Holder for Renewal & Recreation

From our memory, in the information given there was no mention about the size of aircraft that would be able to use the airport. We have recently noticed an increase in the size and number of aircraft using the airport. Could you please let us have the figures for April and May 2014 and 2015 to enable us to compare.

Reply:

The control within the Lease is related to the noise produced by an individual aircraft and not by its weight or size.

The total number of corporate aircraft in April and May this year was 1646, an increase of 97 or 6.3% compared to last year. The average tonnage of individual aircraft in April and May this year was 14.5 tonnes, an increase of 0.6 tonnes or 4.5%. As the economy improves, I am advised that the Airport is seeing modest increases in volume, well within the lease, having being generally 'flat' over the past 5 years.

As aircraft technology improves, particularly in controlling the noise output, it follows that the size and weight of permitted aircraft will increase while still satisfying the noise criteria.

15. From Carole and David Murray to the Portfolio Holder for Renewal & Recreation

Has the noise level from aircraft been measured in recent months as we feel this has increased?

Reply:

No, but I refer to my previous answer.

16. From Adrian Stoneham to the Portfolio Holder for Renewal & Recreation

The Council's Assessment of BHAL's Proposals by Cole Jarman, Acoustic Consultants, set out a number of unspecified matters, for example:

BHAL to quantify and agree with the Council's existing noise levels;
BHAL to establish and agree with the Council the limits on noise; and
noise limits to be agreed;

Why isn't a proper and full investigation, and an assessment of impact/mitigation in place so that an informed decision on this matter can then be taken?

Reply:

The Council did assess the proposal it received and the Council's expert has given advice. Clearly both the Council and the Airport would need to agree limits before an

agreement could be reached – both parties have to agree. The Council's advice is clear about using quantifiable, measurable and objective data.

Supplementary Question:

I would like to know why this cannot be done before any further decision is made so that there is absolute certainty and transparency. Without this sort of process, including an Environmental Impact Assessment we have no idea of the impact and damage on residents and your report dismisses this far too lightly.

Reply:

Clearly we have to rely on the advice given by Cole Jarman and I will have a chat with them after this meeting to see if there is anything more they can do to inform us.

17. From Adrian Stoneham to the Portfolio Holder for Renewal & Recreation

There can be no question that allowing flights at times which are currently quiet will have a detrimental effect on residents. These would be at those times of the day most sensitive to noise, early in the morning and late at night all through the day. How can this be said to positively improve health and quality of life, as is required by policy?

Reply:

There has to be a balance. Whilst no agreement has been reached, if overall noise levels were decreased and permitted overall flight movements were reduced, this could be seen as an improvement on the current situation.

Supplementary Question:

I would like to counter that. The special sensitivity to noise in the early and late hours do not appear to have been considered and I would like to know why not?

Reply:

They have been considered very earnestly if only at the prompting of everybody that lives in the flightpath. We have taken it very seriously and it will be fully measured in the balance when we take our decision.

18. From Adrian Stoneham to the Portfolio Holder for Renewal & Recreation

Why doesn't the operator put in place the changes to reduce noise now so that the community can judge their effectiveness and then make a decision on increasing flying times? If the operator is confident that they would be a success this should not be a problem.

Reply:

I cannot speak for the Airport and can only repeat that the Council assessed the entire proposal it was presented with. It is a matter of public record that the Airport have started some of the processes including flightpaths with the CAA required to effect changes from the current operations.

Supplementary Question:

So we wind the clock forward, we get to September and, let's assume the decision is to allow this go ahead, we then have local residents effectively paying in advance for this problem while BHAL have the license or the extension required. If the operators believe they can reduce the noise as stated, why is this not being done now, why are we being forced to wait for a decision in September when they can operate as they wish?

Reply:

It is probably the same question. I cannot speak for the airport. It would be very nice if they did do this, but some of these things take a long time. We will encourage them to do so.

19. From Anthony Young to the Portfolio Holder for Renewal & Recreation

Aircraft including helicopters which are under the jurisdiction of the airport fly over our houses and gardens completely ignoring the flight paths. I have rung the CAA and asked them why I can read the tag numbers from about 100 feet above my garden. They do not adhere to the flightpaths. I would like to put in for planning for a barrage balloon. How can we guarantee that when or if you have agreed that they can have their extension for the extension of their times, I understand aircraft based there now can have another hour either side and does that mean another hour either side of extended hours?

Reply:

Part of the proposals would actually give us better monitoring and accountability and that would be good for everybody. Breaches of the lease need to be brought to the Airport's attention so they can investigate and take action if a rogue aircraft is doing something they need to know about it so that they can do something. The Council will certainly take action as landlord if needed and if the complaint is proved.

In the past, many helicopter complaints have related to the Police, Air Ambulance and to helicopters which did not originate from Biggin Hill. If implemented, the integrated noise and track keeping system will for the first time enable the Council to identify individual helicopters and to confirm whether or not they are associated with Biggin Hill.

Supplementary Question:

I have constantly phoned Biggin Hill Airport about planes flying down my garden, and I do not mean at high level. I get an arrogant reply and then I get put on to an answerphone. Leave a message – yes, someone comes back, we had to let that aeroplane fly in over your garden because it got in before a jet, these are the sort of answers we are getting. If they are in breach of their lease - I own several properties, if my tenants are in breach of their lease we can do something about it. The London Borough of Bromley does not seem to be have control. I know they cannot police it 24 hours a day, we understand that, but the airport seem to be taking liberties beyond what should be taken in life.

Reply:

When we get the new noise monitoring devices in we will be able to monitor what is going on we will be able to monitor much better than we can now and we will not hesitate to take action if that is what is required.

20. From Hugh Bunce to the Portfolio Holder for Renewal & Recreation

Air pollution associated with aviation includes particulates, unburnt hydrocarbons and nitrogen oxides. Who is responsible for carrying out air quality tests, and where can I see results for monitoring around Biggin Hill and along the flight path from Chislehurst to Biggin Hill?

Reply:

Following extensive modelling for a range of pollutants, including those highlighted, in March 2007 the Council declared an Air Quality Management Area (AQMA) covering the North and North West of the borough for the pollutant nitrogen dioxide.

Subsequently an Air Quality Action Plan has been implemented and regular air quality monitoring is undertaken within the AQMA. The results are assessed and published regularly and show no further modelling or monitoring is required at present. Currently no monitoring is undertaken outside of the AQMA.

Supplementary Question:

Does that include the flightpath between Chislehurst and Biggin Hill and would it not be sensible to undertake some risk assessment for those thousands of residents who could be subjected to such pollution along the flightpath.

Reply:

I do not know the answer but I will find out and let you know.

21. From Hugh Bunce to the Portfolio Holder for Renewal & Recreation

Does Bromley Council accept that the application to change operating hours will benefit few residents across the borough, but reduce the amenities, environment and quality of life for 130,000 residents living along the flight path from Chislehurst to Biggin Hill?

Reply:

No. The application could, if we get what we want, actually benefit all residents and there is a balance of positives and negatives which need all the consideration we can give it. The Council is also legally required to be a reasonable landlord to its tenant.

Supplementary Question:

If it can be demonstrated that the overwhelming majority of the 130,000 residents along the flightpath are strongly opposed to extended operating hours, would Bromley Council please reconsider its decision?

Reply:

We have not made a decision. The feelings of the residents who have made their feelings known will be fully taken into account and we will make our decision accordingly. Whatever our residents say, we still have to be a reasonable landlord.

22. From Hugh Bunce to the Portfolio Holder for Renewal & Recreation

Why has Bromley Council not considered the impact of sleep disturbance for residents living along the flight path, as a direct result of the application to change operating hours, with particular reference to the impact upon children?

Reply:

The Council has sought expert and independent advice about noise disturbance and therefore the potential impact on sleep. Ultimately, government guidelines are the guiding principle rather than individual subjective views.

Supplementary Question:

There are approximately 40,000 children living along the flightpath from Chislehurst to Biggin Hill. I quote from a House of Commons research report SM261 on sleep disturbance from aircraft noise - "The most notable effects in children are decreases in reading ability and memory." When you have consulted the staff of the eight schools along the flightpath can you tell me what they said about this point?

Reply:

I don't have that information to hand but I will discover it and I will let you know.

23. From Andrew Newlands to the Portfolio Holder for Renewal & Recreation

During the BHA consultation, did LBB consider weighting responses, from this borough-wide exercise, to fairly consider those most impacted by additional, earlier & later flights, over homes beneath the flight-paths, or near the airport, and why was such weighting not applied in fair consideration of its most directly affected residents?

Reply:

Responses were not weighted but recorded as part of the overall factors that needed to be considered in the Council's deliberations.

Supplementary Question:

The consultation being the primary voting influence on 25th March, how is it fair or reasonable that just 100 people from Crystal Palace in favour of the proposals, that is less than 1% of that ward, resulted in two votes for the proposal in this chamber, whilst an opposing 2,500 Farnborough and Crofton residents translated to just one vote against. Will the Council conduct a further unbiased survey in keeping with its duty to protect the .13 million residents under the flightpath?

Reply:

I do not believe that having a re-run of the referendum on whatever basis will give us any more information than we already have. We are fully aware of the feelings of those that live under the flightpath.

24. From Annick Tuesley to the Portfolio Holder for Renewal & Recreation

Given there are at least 10 Schools within the Borough and directly under or very close to the flightpath, what steps have been taken to involve head teachers in the

consultation process, with particular regard to the loss of sleep for pupils and its effect on their school performance?

Reply:

I am not aware of any complaints ever being made by or on behalf of a school alleging that aircraft noise is interfering with lessons. The proposed increase in operating hours will have no impact during school hours. Furthermore, I am not aware that any school is currently aware of any problem with sleep for pupils, with pupils presumably sleeping in the current operating hours. Neither are headteachers expert in this field and nor is Biggin Hill Airport the only airfield operating within London. I get woken up by aircraft from Gatwick and Heathrow but not by Biggin Hill.

Supplementary Question:

You call yourselves a reasonable landlord. Will the Council undertake measures to take and record complaints from residents for breaches of the lease because they are not doing so now. When people phone up and complain about aircraft coming in when they are not supposed to, as the gentleman previous to me said, they just get pushed over to Biggin Hill Airport and nobody at Bromley Council as landlord takes responsibility.

Reply:

We will see how we can improve on the current situation.

The time for taking oral questions having expired, the following questioners would receive written responses to their questions in accordance with the Constitution.

25. From Mrs Penelope Denby to the Portfolio Holder for Renewal & Recreation

Were the clinical and non-clinical management team at Princess Royal University Hospital, only 500-600 metres from the public safety zone according to UDP, invited to participate in the consultation about Biggin Hill Airport? If not why not?

Reply:

I refer to previous answers given, with all and any individuals able to respond.

26. From Mrs Penelope Denby to the Portfolio Holder for Renewal & Recreation

If the council agrees to Biggin Hill Airport's request for an extension of hours 6 more flights per day by 2030 are forecast to be flown? Has the council considered the effect of increased noise on patients recovering and staff working in the PRUH?

Reply:

The Council is considering all potential impacts and no decision has been made.

27. From Mrs Andrea Stevens to the Portfolio Holder for Renewal & Recreation

How many noise monitoring stations are currently in use to measure noise emanating from aircraft landing and taking off at BHA, where are they located and to which LBB Committee do the results from these stations get reported?

Reply:

None. The Biggin Hill Consultative Committee, which has Bromley Council representation does consider noise monitoring and complaints and alleged breaches of the lease are taken very seriously by the Council.

28. From Mrs Andrea Stevens, to the Portfolio Holder for Renewal & Recreation

Prior to BHAL's purchase of Milking Lane Farm, at a cost of £1.6m, nine months ago on 14th September 2014, were the Council made aware of the Tenants' intention to purchase this extensive piece of agricultural land immediately adjacent to the north-western end of the main runway 21?

Reply:

No.

29. From Robert Pattullo, to the Portfolio Holder for Renewal & Recreation

In Section 5.10 of the BHAL lease, BHAL are required to pay all costs for every application made by the Tenant. What were the Landlords costs of the Olympic Games application and have these been paid by the Tenant to the Landlord?

Reply:

At the time it was considered debateable whether the Olympic proposal was caught by this provision. However, I will ask officers to revisit this.

30. From Giuliana Voisey to the Portfolio Holder for Renewal and Recreation

Are members of the council aware that Aviation Minister Robert Goodwill, in co-ordination with the Civil Aviation Authority, is considering requests from Heathrow, Gatwick, City and Farnborough airports to review the same track-monitoring systems that BHA would like to introduce in Bromley because of the disturbance and anxiety they have caused to residents?

Reply:

No, not at present, despite contacting both the Department of Transport and the CAA. The CAA have said that they "certainly do not oppose web track tools. Anything that provides transparency for the public regarding aircraft movements has to be a good thing."

31. From Giuliana Voisey to the Portfolio Holder for Renewal and Recreation

Are Councillors aware that the noise protection we have in the Lease is stronger than the noise monitoring schemes the Airport are now trying to apply? Why have the Council not applied the clauses which are already in the Lease?

Reply:

Noise protection and noise monitoring are fundamentally different and the Council is seeking to strengthen both, with no decisions taken.

32. From Giuliana Voisey to the Portfolio Holder for Renewal and Recreation

Why do you believe that a machine telling you that average noise over a 16-hour period is within limits can be considered a satisfactory compromise for a 27% increase in hours at the most unsocial times of the morning and night? How can this be a "better deal"?

Reply:

Machines are objective but are only tools to aid us. Any decision is made up of several components this is no different and although no decision is made, it deserves and will always get, our careful consideration.

33. From Anthony Barnes, to the Portfolio Holder for Renewal & Recreation

During the consultation, did LBB consider weighting the results of the Borough wide survey to fairly reflect those impacted most by any additional early and late flights, over homes under the flight paths and/or close to the airport? If not why not?

Reply:

No. Responses were not weighted but analysis did note that whilst most respondents supported the Airport's proposal, many under the flightpath did not. The consultation was one consideration among many that the Council took regard of.

34. From Anthony Barnes to the Portfolio Holder for Renewal & Recreation

During the BHAL similar application in 2000 in addition to a thorough and statistically much more sensible way, the Council held four public meetings, (Crofton Halls, Civic Centre, Charles Darwin School, Biggin Hill 2) attended by nearly 2000 people. Why did LBB not repeat this exercise for this application?

Reply:

By asking for all residents views, the Council actually consulted more residents than in 2000.

35. From Anthony Barnes to the Portfolio Holder for Renewal & Recreation

Recently there has been more frequent use by jets of the right hand visual circuit to land on runway 21. They often pass overhead Keston village descending on a more or less splayed base leg. Can LBB insist that all jets landing on 21 are via a straight in approach?

Reply:

No. Any proposal by the Airport to change landing or take-off procedures must be approved by the Civil Aviation Authority, and LBB cannot impose any such change

36. From Vivien Haskey to the Portfolio Holder for Renewal & Recreation

For the good of the environment & the Borough, I recycle all my plastics, paper & wasted food, clear up rubbish in the street outside my house, trim side shoots off trees and I am a snow friend organising snow clearance in Keston. What is the point of doing all this if you are going to ruin the environment by extending the airport with extra noise & pollution, building on green belt, putting in extra car parks in Shire Lane, extending the infrastructure etc.

Reply:

Thank you for what you are doing. The Airport is not being extended but there is a proposal to extend operating hours by a relatively modest amount which has a number of benefits, part of which could be additional protection for residents. I repeat, no agreement has yet been reached.

37. From David Evans, Downe Residents Association to the Portfolio Holder for Renewal & Recreation

Ref: Biggin Hill Consultation Analysis - Appendix 8 Map 2.

In terms we can all understand, logic says one dot must represent one reply, is this the case?

Reply:

Yes. As Appendix 8b stated, which was distributed on the evening of 25th March, - To portray the information graphically and by household response, the 'red and blue dot map' has been produced, which involved a complex process of 'geo coding', to effectively place the responses onto the 'red and blue dot map'. This process did not successfully pick up each and every address but the map does show the overall trend for responses across the borough in a way that simple reporting by ward does not and this is why the map was published as it is.

38. From David Evans, Downe Residents Association to the Portfolio Holder for Renewal & Recreation

Why does a single red dot appear at Luxted, south of Downe Village, when I and at least five other households in that area responded?

Reply:

I refer to my previous answer.

39. From David Evans, Downe Residents Association to the Portfolio Holder for Renewal & Recreation

Why did certain households particularly under the flightpath, for example Shire Lane, not receive an invitation to participate?

Reply:

I refer to my previous answers. All households were invited to participate.

Supplementary – We did receive responses from residents in Shire Lane, five in total, all ‘no’. Also, no distribution is ‘perfect’ and where ‘misses’ were brought to our attention, they were rectified at the time.

40. From David Clapham to the Portfolio Holder for Renewal & Recreation

The extensive URS Report – Biggin Hill Study – Final Report along with the London Plan designation of Biggin Hill Airport as a Strategic Outer London Development Centre (SOLDC) guide planning direction. Were Councillors briefed on the implications and context of these fundamental plans prior to the discussion on 25th March 2015?

Reply:

Yes. The Local Development Framework Advisory Panel, of which I am the Chairman, received updates on:

- 22nd April 2014
- 18th June 2014
- 5th August 2014
- 15th January 2015
- 24th February 2015.

The report and findings were also considered at the Executive on:

- 12th June 2013
- 26th November 2014

and R&R PDS on:

- 23rd June 2014
- 18th November 2014

41. From David Clapham to the Portfolio Holder for Renewal & Recreation

The Employment section page 52 of the URS Report – Planning for Growth in Bromley – Biggin Hill Study – Final Report says that the predicted growth in jobs of 930 by 2017 ‘would appear ambitious’. What confidence do you have in these predictions?

Reply:

Estimates and predictions are valid but they remain just that.

42. From David Clapham to the Portfolio Holder for Renewal & Recreation

In view of the fact that Councillors were not all aware of background growth plans for Biggin Hill Airport please confirm that once discussions with Biggin Hill are concluded, that Councillors will be allowed to express their views and vote on the proposal before the Executive makes the final decision.

Reply:

The Council's own report considered by Councillors noted the growth plans and specifically said that "The Airport has been identified as a Strategic Growth Area by the GLA and BHAL plans indicate that the Airport could create up to 2,300 jobs over the next 20 years." It also referred to BHAL's economic growth plan produced in April 2014.

COUNCIL MEETING

29TH JUNE 2015

QUESTIONS FOR ORAL REPLY FROM MEMBERS OF THE COUNCIL

1. From Cllr David Livett to the Portfolio Holder for Education

Noting that the Parliamentary debate on the Referendum made frequent references to encouraging political engagement of young people and that the Education Act 1996 requires that pupils "are offered a balanced presentation of opposing views" (Educ. Act 1996 s.407) will the portfolio holder confirm the Council ensured such obligations were met in the run up to the last election and provide a list in tabular form showing:

- Which secondary schools had mock elections during the run-up to the General Election and which schools featured the General Election in some other way (e.g. school assemblies, wall displays, classroom work etc)
- In each school, was the whole of the Governing body informed that mock elections were taking place or that class work, wall displays, assemblies or anything similar was being undertaken?
- For each school, which parties were represented?
- If any of Conservative, Labour, UKIP, LibDem or Green parties did not have candidates or were not presented, what was the justification of such omission?

Reply:

The Government's very successful academy programme has seen lots of Bromley schools change over to academy status, in fact of the seventeen secondary schools we have only one of them remains under local authority control – i.e. it is not an academy. As a result of that we do not have a statutory role in ensuring that pupils are offered a balanced presentation of opposing views. That responsibility sits with the schools.

However, we have asked officers to send an email round to all the schools. The responses we have are set out in the paper tabled ([Appendix 1](#)).

Supplementary Question:

I was aware that most of these schools are not falling under the direct remit of this Council, however, these are pupils of this borough and we have a responsibility to use all the influence that we have to ensure that they are being properly educated. The very useful answers that we have been provided with indicate that at two of these schools their obligations under the Education Act are not being met. At two of these schools there are entrenched and ill-informed views that caused some parties to be excluded. Whether you agree with those parties or not, the fact is that they should be included, not excluded. Will the Portfolio Holder recognise that he should

use all of his powers to ensure that schools meet their obligations under the Education Act, whether direct or indirect influence, so that the pupils of those schools are not misled in any future election or referendum?

Reply:

I can assure Cllr Livett that we use all the powers that we have to fulfil our statutory responsibilities and we make sure that we protect the children of this borough - it is one of our most important roles. In terms of the wider point about free speech I completely agree that those political parties should be represented. In the year that we remember the Magna Carta and the crushing of the tyranny from the French General we should, absolutely, support free speech. In fact, one of the great things about free speech is that you get to put up ideas and scrutinise them and sometimes see how wrong they can possibly be.

2. From Cllr Nicholas Bennett to the Portfolio Holder for Environment

If he will make a statement on the closure of the West Wickham Lavatories and their replacement by community lavatories?

Reply:

There is a schedule of the various dates which will be read into the minutes (See Appendix 2.) The Community Toilet Scheme was rolled out towards the end of last year and in the first three months of this year but as you know it clearly was not universally popular and remains universally not popular, but we have got schemes now working in all five of our major town centres thus far with reasonable but not absolute success. In areas where improvements needed to be made they are being looked at on a day by day basis as recently as today. Specifically regarding West Wickham, we moved consultation by notice in December. Residents complained that it was perhaps being done by stealth over the course of the Christmas and New Year Holidays, so I extended that to the end of January. We consulted with residents during that time; not unsurprisingly, fear of change, fear of the scheme not working as well as we hoped, saw a fairly large majority against the proposal. We considered it through the Environment PDS Committee and the Executive and introduced the scheme effectively starting on 31st March. So far as West Wickham has gone, we had issues, we did not get signage up as quickly as we should, there were problems with printing and damage which did not help. One of the strengths of this approach is what happens when a key partner pulls out; probably the main player, closest to the toilets, walked away and we have managed to recruit another one/two partners. I hope that we can report with some confidence that we now have six partners located along the High Street, so that if you are ever caught short you won't have so far to run in future. Certainly, lessons to be learnt, particularly around communications and timing.

Supplementary Question:

Is the Portfolio Holder aware that on 1st April there were no signs up in West Wickham, except a tatty sign stuck to the lavatory which had closed. Two months later there is still no sign for the Sainsbury's or any indication on the front of Marks and Spencer's that they are a community loo. On the 1st April it transpired of the five community lavatories, the Swan was not in the scheme, and staff at Café Nero and Marks and Spencer's were unaware of the scheme. This has caused great

embarrassment and annoyance not only to the three ward councillors but also to the two ladies who negotiated on behalf of West Wickham Residents Association - all of us stuck our neck on the block to support the closure of the lavatories and the introduction of the scheme. Can I ask that no member of staff gets a bonus for this fiasco.

Reply:

What I would say is that it is not for members of this Council to dictate to the paid officer corps who does and does not get bonuses. That is strictly an officer function. However, I do have considerable sympathy with Cllr Bennett's irritation. As I said earlier, it did not go as well as it should have and several very serious conversations have been had in private, and that is where they will stay.

3. From Cllr Peter Fookes to the Leader of the Council

How many compromise agreements have been signed by the Council over the last 12 months?

Reply:

I can inform Cllr Fookes that there have been 13 such arrangements in the twelve month period.

Supplementary Question:

Why are the departures of senior and sometimes not so senior staff never reported to committee these days? Why the need for secrecy and why is this Council so lacking in transparency?

Reply:

We seek to be as transparent as possible. Certainly, with some of these arrangements at the very core of them is the principle of confidentiality which would explain part of that reason, and if these compromise agreements are to work we do need to maintain that confidentiality. I will make sure that where we should do we continue to be transparent and open to members of the public and to other members.

4. From Cllr Angela Wilkins to the Chairman of the General Purposes and Licencing Committee

Are you satisfied that the decision taken on 26 March to radically amend TU facilities arrangements was a fully informed one which was discussed fairly and without ideological prejudice?

Reply:

I am satisfied that the decision to continue to provide reasonable support to staff representatives albeit via a different arrangement, including a new departmental representative forum with better engagement with key Members, was reached following a full and reasoned debate by the GP&LC meeting held on 26 March 2015. The report by the Director of Human Resources covered the relevant legal and industrial relation issues as well as the trade unions' responses to the main recommendations. The business case for the new arrangement was succinctly covered in the report. Additionally, the Chairman of the GP&LC allowed the branch

secretaries of the two unions directly affected to both address the committee and summarise their case following a lengthy debate of questions and answers from officers and Members.

Supplementary Question:

One of the key words in that question was “ideological” and I do not recollect any response to that. At that meeting, most of the debate was around the principle of it not being appropriate for council tax payers to fund trade union duties, despite the fact that it is provided for in law. Basically, Unite have offered to pay Kathy Smith’s salary, and we have rejected that offer. So I do not accept that it is about money – I would like some clarity about how you can justify that it was not an ideological move.

Reply:

I will need to check in the morning with Mr Obazuaye, but as far as I am concerned a proper decision was taken. Yes indeed the unions have come back asking to pay for the post. It was discussed at the LJCC Committee the other week and the decision taken there was that we have got new arrangements in place, it was not appropriate at this stage to re-invent the wheel but we will look at what is going on and at the appropriate time we will review what is going on, including any offers by one of the two trade unions to pay for their union representative’s time. Under law, trade unions have a right to have time off which is reasonable and my understanding is that it is being given by relevant managers.

5. From Cllr Kevin Brooks to the Portfolio Holder for Care Services

It has been reported that at the meeting with service users regarding out sourcing of services currently provided at Astley Day Centre(held Thursday 18 June), officers of this Council stated clearly and repeatedly that there were no written tender documents and that the potential contract with Certitude was being agreed via only verbal discussions. Needless to say, clients present at that meeting were confused and suspicious as a result of this statement.

Given that the report (CS15909a) presented to Care PDS on 23 June makes reference to tender documents, please can you explain why officers denied this at the meeting on 18 June? And will you please re-convene the meeting and provide clients’ and their representatives with appropriate written information about the contract?

Reply:

The procurement method used for the Direct Care - Adult Social Services tender was a competitive dialogue. This method was reported to Care Services PDS and approved by the Executive in November 2013. The process of competitive dialogue means that the Council as commissioner issues a Pre-Qualification Questionnaire to the market detailing their high level desired outcomes for the services. Potential providers are required to evidence their skills and experience in the work as well as their ability to deliver the outcomes before being invited to the next stages of the tender. The process then allows a series of dialogue meetings (which in this case

included visits to sites, council visits to the providers, meetings with their existing clients and stakeholders, service discussions, and finance related meetings). When the Council is satisfied that a workable solution has been proposed, the preferred provider is invited to submit a final tender. This approach was utilised as it was recognised we were looking for a specialist provider with the relevant skills and experience to deliver the innovation the Council was seeking in these services.

The meeting on the 18th June, was a meeting of the parents of Astley, who had invited the preferred provider for this tender, Certitude, and representatives from the commissioning team, to their meeting. It was made clear to the parents group in advance of the meeting that, given where we are in the process, and disclosures of details of final tenders is not permitted, this would be a visions and values exercise, and no specifics about their proposed model for Bromley could be shared. Some parents asked to see the tender documents, and Officers indicated they would seek permission to share the PQQ information, and this was made available to the parent who had asked for it as soon as possible, as well as the group organiser.

Certitude have gone through a robust competitive process, and their submissions have been evaluated by the panel at the Council, against the agreed criteria. There is a detailed final tender from Certitude, which incorporates all of the elements discussed in dialogue. The high level benefits of this have been detailed in the recommendation to award and the staff consultation.

Supplementary Question:

Do you feel there has been a lack of communication, and therefore that the meeting should reconvene to ensure that people have got all the information?

Reply:

I am fully happy that officers have followed the correct procedures in this case and that due consultation has been given both to service users and to staff and this is a continuing process. Certainly, there is still room for anyone connected with the service users to make their comments and the staff consultation is open until 8th July.

Additional Supplementary Question from Cllr Peter Fookes:

What is the situation with regard to the day centre itself? Will that remain owned by the Council or will Certitude be responsible overall for this particular centre? It was very unclear in the report that went to Committee what will actually happen.

Reply:

There is certainly no doubt that the Council has ownership of the actual building and the site. There are no current consultations going on with regard to the closure of Astley. However, if you read the report, the direction of travel of the Council is towards smaller hubs rather than large monolithic buildings and this certainly has been the policy of the Council since 2007.

6. From Cllr Kathy Bance to the Portfolio Holder for Education

Given the significant shortcomings identified in the Full Joint Inspection of Youth Offending Work in Bromley, May 2015 in relation to the following key areas:

- A) reducing reoffending (rated poor)
- B) protecting the public (rated poor)
- C) protecting children and young people (rated unsatisfactory)
- D) ensuring the sentence is served (rated adequate)
- E) governance and partnerships (rated poor)
- F) interventions to reduce reoffending (rated poor)

What will the Portfolio Holder do to address the issues identified in the report?

Reply:

This responsibility used to sit with Care Services but has now moved over to Education which is why the question has come to this Portfolio, and written questions around this issue have also been answered by myself.

This is a very important issue and the report was very alarming. I know Councillor Bance is a person of huge compassion and she will be greatly concerned about this, as am I.

As a result of that, the Chief Executive, supported by partners and the Assistant Director as well as the Youth Justice Board are putting together a plan of action that will go some way towards dealing with this. We are not going to let this disappear into a report, this is coming to a specially convened PDS meeting, a joint meeting of the Education, Care Services and Public Protection PDS Committees on 22 July 2015 and it will be chaired by the Education PDS Committee chairman, Councillor Bennett, and I would recommend you to come along.

Supplementary Question:

Yes, I will certainly attend that meeting. Given that the London Borough of Bromley does not have the same staffing level as neighbouring YOT teams and that a third of our young offenders have mental health issues, do you agree that the £125,000 cut from the CAMHS budget and the low level of staffing is a contributory factor to this poor full joint inspection of Youth Offending services in Bromley?

Reply:

I do recognise that the staff work very hard to make sure that they fulfil their responsibilities, and part of a review of the service is exactly that – that we review the service. We will not duck anything, we will look at all the appropriate potential measures and we will bring that to the PDS meeting.

7. From Cllr Ian Dunn to the Portfolio Holder for Environment

Regardless of councillors' individual views on the Bakerloo Line Extension, the people of Bromley have come out strongly in favour of the extension of the Bakerloo line to Beckenham Junction & Hayes, with ward level support shown below. Is the

Council prepared to review its decision to oppose the Bakerloo line extension to Hayes and engage constructively with TfL?

	Penge & Cator	Copers Cope	Clock House	Eden & Kelsey Park	West Wickham	Hayes & Coney Hall
Respondents	119	236	220	152	143	176
Support	88%	86%	78%	84%	66%	65%
Oppose	4%	11%	18%	16%	27%	30%

Source TFL

Reply:

I thank Cllr Dunn for his question.

I do not accept the premise of the assertion that “the people of Bromley have come out strongly in favour of the extension of the Bakerloo line to Beckenham Junction & Hayes.”

The figures quoted are an arbitrary, small number of self-selecting respondents to TfL’s survey which do not accord with the findings of myself and others when seeking opinion both on the ground, and indeed on the very trains themselves, when the pros and cons of the question have been properly explained to them.

The Council’s position on this matter remains as per my widely published statement dated 16th January 2015 a copy of which has been circulated this evening for Members’ ease of convenience (see Appendix 3.)

Attracting inward transport investment to protect and grow the future of Bromley Town Centre as a well-connected retail and employment hub remains central to the aims of this Administration and we will not be diverted from that course.

Regarding improvement in Transport infrastructure for residents living in the West of the Borough, this Administration remains in strong accord with the views of Mr Steve Reed, Labour MP for Croydon North and Mr John Getgood, the former Leader of the Labour Group opposite, that extending the tram-link to Crystal Palace remains a key priority for the people of that area, and I am very pleased to confirm that remains this Administration’s key secondary priority.

For further interest to those colleagues not present in this chamber at that time, I have also read into this evening’s meeting the minuted outcome of Mr Getgood’s and my own co-motion to this Council on this very point in 2011:

Crystal Palace Tramlink Extension

The Motion moved by Councillor Peter Fookes and seconded by Councillor John Getgood was the subject of several amendments at the meeting and the following Motion, moved by Councillor Colin Smith and seconded by Councillor Getgood was subsequently agreed:

“This Council seeks and would welcome confirmation from the Mayor’s Office that an extension of the DLR (or Bakerloo line) from Lewisham to Bromley North, the Crystal Palace Tramlink, including lifts at Crystal Palace Station, and an extension of Tramlink from Croydon to Beckenham Junction and Bromley continue to feature as options in his future investment plans”.

I must assume on the basis of this evening’s questions that the Labour Group opposite have since changed their local transport priorities and by so doing have knowingly set aside the interests of people living in the Crystal Palace area.

Either that, or they are now seeking both schemes. If so I shall be particularly interested to learn how they propose to fund the Tramlink to Crystal Palace in due course. That is assuming that they have even thought about funding, which we will establish later, is not their long suit.

Supplementary Question:

As a point of personal explanation at the start, I would say that the question began “Regardless of councillors’ individual views on the Bakerloo Line extension...” so there is no particular view from any particular councillor here. The second thing I would say is on the basis of the premise of overwhelming support. I concede that figures of 86% to 11% in a ward might not be overwhelming, but it is a bigger majority than anyone in this chamber has, so it looks quite substantial to me. I also take the point that any sample is self-selecting. People respond to consultations and to private soundings that informed the Council’s response to TfL.

How can he reconcile the numbers in this consultation, which is an official consultation and is public, with the private soundings which have informed the Council’s response? What is your message to the councillors in the Beckenham area whose constituents, at least those who responded to the consultation, clearly strongly support the Bakerloo Line extension.

Reply:

I can only repeat that I do not regard these very small numbers as giving a strong indication of anything. I am very happy to debate this in any forum you like – let’s run the local elections in 2018 on this very subject. I have lived in Hayes for many years, I understand what the people of Hayes want, what the people of West Wickham, Eden Park, Clock House, New Beckenham, Penge, Copers Cope want. They have moved to the area because they want that connection because it gives them direct connectivity to the City. That’s what they want to keep – they do not want to be crowded into sardine cans that may or may not turn up depending on whether there are problems in all parts north. I would remind colleagues that this is not a free shot – do not think that were you to get the tube down that’s it - it is not a gift from central London. What comes in its wake to qualify for the investment is a massive housebuilding programme that will change the character of that part of the borough forever. For all these reasons, when residents understand what is on offer rather than what it says in the glib TfL document they quite rightly run a mile.

Supplementary Question from Cllr Tony Owen:

I am surprised that Cllr Smith overlooks the fact that one day he may be able to use his bus pass on the train much earlier than anyone else in the borough.

In the spirit of not all the borough helping one another, is he aware that people in the Orpington area much favour this extension of the Bakerloo line as it would free up a lot of train paths into central London and give the opportunity of fast rush hour trains to London.

Reply:

I am aware that Orpington's already superior train service to the Hayes line would benefit even more were the Hayes line service withdrawn. For that reason I think in balance and proportion it is absolutely right to retain existing arrangements whilst lobbying hard for the limited investment opportunities that are available to bring either the DLR or a surrogate thereof into Bromley North to grow our key town centre.

Supplementary Question from Cllr Nicholas Bennett:

I thank the Portfolio Holder for what he has just said about the financial resources because transport expenditure is limited. It is the view of West Wickham Councillors and I think supported by Councillor Smith, that the current options which we have into Cannon Street and Charing Cross are very good and that if money is available for transport expenditure we would much rather see an extension of the Overground line from New Cross to Bromley North which would bring in a new transport link to east London.

Reply:

I concur strongly with Councillor Bennett on this - we have discussed this in other places. If we cannot get the DLR, and I guess this will depend on the new Mayor's views, that is what we need to press. As Councillor Bennett alludes, we do have the sweeping option via New Cross that might do the trick instead.

8. From Cllr Vanessa Allen to the Portfolio Holder for Environment

Croydon Council is one of a number of councils now looking at introducing 20mph zones throughout residential roads. Due to the fact that there have recently been several fatal and many other traffic accidents in Bromley, does the portfolio holder believe Bromley Council should be implementing 20mph zones in residential roads. If not, please can he give his reasons?

Reply:

Bromley has historically implemented 20 mph in residential roads where problems have been seen to exist, and accident statistics have supported it, as Cllr Allen will know from roads such as Marlow Road in her Ward, nearby Selby Road in Crystal Palace and Maple Road in Penge are included in this number.

The simple fact remains, and this is attested to by on-going complaints, that 20mph signs do not work without enforcement as the complaints about speeding vehicles continue to come in to the Council's and the Police's road safety teams.

It is also the case that only a small percentage of KSI (Killed and Seriously Injured) accidents, which drive the funding before them, occur on 'residential roads', the vast majority occurring on distributor and main roads, almost every single one of which also hosts multiple 'residences' along their length.

This Council's priority, in line with our Local Implementation Plan is to reduce killed and serious injury collisions (KSIs) by directing scarce money at road improvements where accidents are actually happening regularly, rather than where they might possibly occur at some point in the future.

This policy has proved to be outstandingly successful over a long period of time in reducing casualty statistics across the Borough, to the extent that in 2013 the number of KSIs and total casualties recorded by each London Borough against their total road length, saw Bromley recording the fourth lowest rate of KSIs and the second lowest number for all casualty categories.

Whilst other Boroughs are of course entitled to their opinions, to divert and spend hundreds of thousands of pounds erecting un-enforced and unenforceable 20mph signage in roads where no casualty profile exists, at the expense of schemes on other busier roads where serious accidents and injuries are more commonplace, is neither sensible nor logical in my opinion.

I do note in closing that the Department for Transport have semi-recently announced a 3 year study which is due to report in 2017 as to the merits or otherwise of the 20mph doctrine being preached in some other quarters and it will be interesting to learn of its findings in due course.

Supplementary question:

If it is not intended to implement 20mph zones more widely, would you be influenced by the fact that the National Institute for Health and Care Excellence do support them as well? Would you consider other traffic calming measures such as speed humps which in the areas that have them are quite successful in encouraging people to keep to the 20mph limit?

Reply:

No.

9. From Councillor Tony Owen to the Chairman of the General Purposes and Licensing Committee

Are you aware that Bromley Town ward is equal 17th of 628 wards in London for 'violence with injury'?

Reply:

As Chairman of GP&L Committee I am of course aware of this fact which is based on data compiled by the Metropolitan Police. It relates to the period September 2014 to mid-May 2015. The data shows Bromley Town Ward ranked at joint 17th in the top 30 wards in London for violence with injury. 113 instances have been recorded. This is the first time that we have seen this data because we have not featured in the top 30 before, therefore we don't have any comparable data against which to judge this figure.

Whilst I abhor any crime involving violence and injury these figures need to be seen in the context of Bromley's successful, diverse & flourishing night time economy

which has been stimulated by the revitalised Bromley North Village and the environmental improvements that have recently taken place.

I am not complacent about these figures but I do note that there is a huge difference between Bromley Town and the worst wards (in Westminster in particular) where the figures are 510 and 393.

Working closely with the Council's licensing officers and the Police we had already identified an increasing trend in general crime associated with the night time economy and we are working to address this through partnership working. In fact, on 14th July there will be a joint meeting of General Purposes and Licensing Committee and Public Protection and Safety PDS Committee to look in detail at Beckenham and Bromley town centres with the rise in violence particularly in Bromley town centre, with the aim of agreeing a clear plan of action going forward between Bromley Police and the Council Licensing Team – this is a joint initiative.

Supplementary Question:

Having been briefed in detail about crime in Bromley town centre, including a drunk male being dragged into Churchill Gardens and male-raped, why did the Chairman as recorded in GP&L minute 66, lead the opposition to helping our Police partners reduce alcohol related crime.

Reply:

Unfortunately Cllr Owen is wrong on this matter. The fact of the matter is this. We had a particular debate about whether we should be tougher with the Cumulative Impact Zone in Bromley town centre, not particularly dealing with specific instances of crime, which I have very strong feelings about. That was the debate that happened at GP&L, and I was very clear that the way to deal with these matters was not simply to tighten up the hours – you would have them all pouring out at the same time – and to bring back some of the extended hours given under your chairmanship of the GP&L Committee. What we are doing, and what I strongly believe in, is where we are now, which is a sensible approach, a balanced approach looking at every application that comes in, with opening times staggered so that there can be proper, controlled evacuation and clearance of the town centre after night-time activities. Premises with door staff are now being encouraged to get their door staff into the town centre to help with the dispersal of people therefore having more people in authority out on the town centre streets. This will be huge progress and will make things better. As I said, that is what I spoke on, and that is what I opposed was the tightening up of licensing hours. I certainly was not opposed to taking the necessary efforts to ensure that what is happening is being dealt with. It needs to be dealt with by both the Police in the first part, but also by the Council in partnership effort. That is why we are meeting as a joint Committee as I agreed with the Chairman of GP&L and the Portfolio Holder that this was a priority area to deal with. But we must bear in mind the quantity of crimes in Bromley town centre and base that against the thousands and thousands of people who regularly use our town centre in the evenings.

The thirty minutes allowed for questions having expired, the remaining questions would receive a written answer.

10. From Cllr David Livett to the Portfolio Holder for Environment

Will the portfolio holder detail what progress has been made since his last Council update with regard to the resolution of the Waste4Fuel disaster and set out a timetable of actions now proposed by the Council and other agencies to bring this matter to a conclusion?

Reply:

I thank Cllr Livett for his question; I am obviously very aware of and continue to strongly share his constituents' understandable concern and irritation regarding this long running debacle as he knows.

Whilst the legal process remains incredibly frustrating and slow, the current impasse ultimately remains in the hands of the Environment Agency and the landowner to determine between themselves.

The current position remains that the Environment Agency served a Notice under section 59 of the Environment Act 1990 on the land owner on 8th April 2015, requiring them to reduce the remaining stack to 5,500 tonnes by 10th August 2015 or face the prospect of the Agency doing so themselves and pursuing all associated costs through any means possible.

Whether it remains possible for the owner to achieve this financially, or indeed whether they are minded to do so at all or instead challenge the EA through the Courts, still remains to be seen; we will hopefully know and I am cautiously optimistic that we will discover which, before that date is reached.

I know that Cllr Livett appreciates the acute sensitivity of related matters and I hope will understand that I cannot comment in detail, but I can confirm that Council continues to try and act as an honest broker between the two parties in an attempt to find a middle way, in possible terms of a land-swap for liability forgiveness.

To that end, I undertake to brief all interested parties at the earliest possible opportunity, if and when there are any key developments or breakthroughs.

11. From Cllr Nicholas Bennett to the Portfolio Holder for Renewal and Recreation

What is the Council's policy on women only swimming sessions at the Spa Leisure Centre and whether this conforms to Section 13 of the Equality Act 2013?

Reply:

Section 13 clause 6b of the Equality Act 2010 states that a person should not be treated less favourably on the basis of their sex. The programming policy of the leisure centres is considered to be in line with this requirement. The leisure facilities do endeavour to enhance the levels of participation through its programming by

offering a range of services and facilities to all members of the community at a time and in a location appropriate to their demands where these can reasonably be met. This includes periods when access is restricted to use by children, families, schools, adults, clubs and competitions.

The leisure centres do currently offer a small number of gender specific activities such as the Primetime Active Life scheme (older men's project). This programme encourages and subsidises the use and access to facilities by older men in an attempt to address high levels of inactivity in some communities. At the Spa, the centre introduced a one hour female swimming session once a month. This was in response to the request by a number of women for a specific session. The session has been accommodated without impacting on wider general public use by extending the core opening hours on a Friday from 9pm until 10pm. To date attendances have averaged twelve. At this time there are no plans to extend the number of sessions.

Although the site specific advertising has been relatively low key it had been hoped that the initiative would also support and coincide with the national campaign "[this girl can](#)" being run by Sport England to increase levels of female activity.

12. From Councillor Peter Fookes to the Portfolio Holder for Education

How many unqualified teachers are there in Bromley schools?

Reply:

There are 19 unqualified teachers within Community and Voluntary schools in the Borough. We do not provide information relating to academies as the Council is the not the employer.

13. From Cllr Angela Wilkins to the Leader of the Council

Can the Leader please explain why the Council did not inform members of this Council that our UNITE employees were taking industrial action; why has no statement been made by the Council in response to this industrial action and can one please be made now?

Reply:

The Industrial Relations Sub Committee of this Council and its parent body the General Purposes and Licensing Committee were informed as soon as reasonable practicable the UNITE employees were taking industrial action following a poor ballot turnout supported by less than 4% of our workforce. The former considered a report from the Director of Human resources on 8 April 2015 and the minutes of the meeting were considered by the General Purposes and Licensing Committee meeting on 27 May 2015. Additionally, the union's press statements on the strike and the Council's responses were also in the public domain".

14. From Cllr Ian Dunn to the Portfolio Holder for Resources

Can the portfolio holder explain how selling Housing Association property to sitting tenants at a discount can result in the provision of an equivalent number of social

houses being constructed in a local authority such as Bromley, which does not own any social housing?

Reply:

Currently this is a proposal and will require further details before we can fully consider the implications of its enactment. However, it would seem that receipts from selling current property will help build replacement affordable homes on a one-for-one basis. This means the number of homes across all tenures will effectively double for each home sold, increasing national housing supply and creating a new affordable homes for those in need from each sale.

We are already talking to our housing association partners to assess how many properties may become eligible for the right to buy and what options there will be to ensure that the supply of affordable housing available to meet local needs does not decrease.

15. From Councillor Tony Owen to the Leader of the Council

You have been elected as council leader for a 4 year term (although you privately submit yourself for re-election each year). What is your rationale for replacing 2 portfolio holders after just one year?

Reply:

Madam Mayor, through you I thank Cllr Owen for his helpful and insightful question. Sadly, however, I think Cllr Owen has his numbers wrong. Far from serving just one year in cabinet, I can confirm Cllr Stevens was appointed in May 2011 attending his first executive meeting on 25th May in that year therefore serving for a period of four years with Cllr Wells appointed the following year, his first Cabinet meeting 23rd May 2012 hence serving for a period of three years.

16. From Cllr David Livett to the Leader of the Council

Under the Bromley Council operation of a Cabinet system, portfolio holders are selected and appointed by the Leader of the Council and the subsequent decisions of those portfolio holders are scrutinised by the various Policy Development and Scrutiny Committees. Whilst the selection process is in the hands of the Leader will the Leader explain why his personnel selection decisions are not subject to scrutiny in the same way as the subsequent decisions of his selected cabinet?

Reply:

Again, thank you Madam Mayor and thank you Cllr Livett for your question, but again like the previous question there is a fundamental flaw in this question too.

I simply say in response has he forgotten that the Leader of the Council is available and open to scrutiny at every Executive and Resources PDS meeting and of course held to account every year at an AGM.

17. From Cllr Nicholas Bennett to the Portfolio Holder for Renewal and Recreation

If he will make a statement on the future of the West Wickham Leisure Centre and whether it is planned to replace the existing building or upgrade the existing building?

Reply:

The future of West Wickham Leisure Centre is tied into the ongoing negotiations with Mytime Active whereby the Council is seeking to significantly reduce the financial support that it provides to Mytime over the remaining term of its existing contract. These discussions are ongoing and so it would be premature at this stage to speculate on potential options for West Wickham leisure centre.

18. From Cllr Peter Fookes to the Portfolio Holder for Care Services

When will the new health centre/pharmacy in Oakfield Rd, Penge be built?

Reply:

Negotiations are continuing between NHS Property Services and the practices that will be going into the Penge development. NHS Property Services are committed to this scheme and are trying everything they can to come to a quick resolution. Contractors are ready to go and would be mobilised within weeks of any final agreement being reached. With a 52 week build period, it is expected that the new centre would be open in the summer of 2016.

19. From Cllr Tony Owen to the Portfolio Holder for Education

Do you have any plans to review school admission procedures and requirements?

Reply:

School admissions procedures are governed by the statutory Admissions Code of Practice. Bromley is part of the pan London coordinated admissions process which is designed to ensure that all applicants for school places are dealt with fairly and transparently. Each academy is their own admissions authority and as such can consult on changes to their admissions arrangements for future years. Similarly the LA is the admissions authority for maintained schools and can consult on any proposed changes to the admissions criteria. At present there are no such proposals being discussed for schools in the maintained sector.

Which secondary schools had mock elections during the run-up to the General Election and which schools featured the General Election in some other way (e.g. school assemblies, wall displays, classroom work etc).

Bullers Wood, Coopers, Hayes, Langley Boys, Langley Girls, St Olave's

In each school, was the whole of the Governing body informed that mock elections were taking place or that class work, wall displays, assemblies or anything similar was being undertaken?

Bullers Wood - A Scheme of Work was written about the Election, using several resources from the Education Department in Parliament, amongst others to be delivered in Pers.Dev. It also looked at the timeline of democracy in this country, focusing on the Magna Carta, as this was such an important year. We organised sample polls in the weeks before and these were displayed on the VLE. There were wall displays and of course the Parties produced short Broadcasts that we viewed in Pers Dev or Form Times. They were in charge of their campaigns and so each team had a different approach but all were encouraged to canvass and of course there was the Main Assembly and Question Time events (the latter of which received coverage in the Guardian
<http://www.theguardian.com/education/2015/may/05/school-electorate-voting-farage>)

Coopers - I can confirm that we held mock elections and all students were involved. We also held many assemblies. All main parties were represented and the FB were informed.

Hayes - Mock election took place on same day as general elections. Assembly the week before was held in a 'Leadership Debate' style and sixth form students canvassed around school in the week beforehand, tutor time activities across the whole school including debates in tutor groups. Governors were aware and very supportive of the whole process.

Langley Girls - Year 7 – Year 10s were able to cast a vote in the Langley Election 2015. All major parties were listed on their ballot form and over the last week of the Election Form groups dutifully went to the polling station (or the 'DALO') and posted their votes. *Langley Girls have also provided a copy of their May 2015 school newsletter which has information about the mock election.*

Langley Boys - I can confirm that Langley Boys held a mock election for year 13 students prior to the real thing.

St Olave's - n/a

For each school, which parties were represented?

Bullers Wood – Conservative, Labour, LibDem, Green,

When we had the initial meeting(s) we asked that students come forward to represent Political parties, we made no mention of which ones. We then waited for

their response, we were thinking of the 5 outlined below, but when the students made their choice no one came forward to represent UKIP.

Coopers - All main parties were represented and the FB were informed.

Hayes - Labour, Conservative and Liberal Democrats

Langley Girls – Conservative, Labour, Green, Lib Dem, UKIP

Langley Boys - All five of the major parties were represented, Conservative, Labour, Lib Dem, UKIP and Green, and all five sent their actual parliamentary candidates (Beckenham constituency) to our mock hustings on 20th April. The candidates each spoke to the students who then asked questions

St Olave's – All parties were represented. A mock election, preceded by a range of assemblies and other events was conducted on Thursday 19th March. The results were announced in assembly on Friday 20th March

If any of Conservative, Labour, UKIP, LibDem or Green parties did not have candidates or were not presented, what was the justification of such omission?

Bullers Wood - About two or three days later 2 Year 10 students came to say that they would represent UKIP, however, when pressed it was not because they supported UKIP they said that they would do it in a 'satirical manner' (that was their actual phrase) We both said that we wanted the election to be run with integrity and that those who had put themselves forward as teams to represent parties were doing this because they had a genuine interest at representing the Parties. We explained that we did not want the election to be a sham, but that people debated the actual issues from an informed, concerned viewpoint.

Coopers – n/a

Hayes - The feeling that this was centred more as a 'leadership debate', time restraints within assemblies etc meant that we couldn't field more than 3 candidates **and** give enough time to proper political discussion. Concern about immigration/welfare benefits being such a central focus of UKIP in particular and potential conflict that this could cause- we felt by addressing those policies with the three 'biggest' parties then we could still have that debate but in a much more balanced way.

Langley Girls – n/a

Langley Boys – n/a

St Olave's - n/a

Decision making process and consultation- Timeline

Complete Timeline

17 th December 2014	Local public consultation arranged regarding the proposed closure of West Wickham (in conjunction with facilities in other TC's). 17 th December 2014 – Notices displayed for a period of 28 days; later extended to end of January 2015 at PH request. Original public notice advised of 3 business participants (Café Nero, Sainsbury's and The Swan).
Consultation Period	During the consultation period PH requested additional business participants to be included as alternatives, including M&S and the Leisure Centre.
20 th January 2015	Environment PDS Committee received a report recommending the closure to remaining TC provision from 31 st March 2015, incl. West Wickham facilities. This report included all 5 CTS participants, as new entrants to the scheme (e.g. Café Nero, M&S, Sainsbury's, The Swan and Leisure Centre).
11 th February 2015	The results of the public consultation and an Equality Impact Assessment presented to the Executive.
23 rd March 2015	TFL were contacted requesting approval to include signage on their street furniture.
31 st March 2015	Closure of TC toilets. Temporary signage installed onto the building regarding the proposed closure and CTS alternatives within the High Street.
1 st April 2015	Café Nero, M&S, Sainsbury's Starbucks and West Wickham Leisure Centre all went "live."
8 th April 2015	TFL gave approval regarding the placement of signage onto their street furniture.
13 th May 2015	Additional participant, "Benvenuti" came forward and joined the scheme.
End of May 2015	Removal of pre-existing "WC" signs completed. CTS finger post signs erected.
6 th June 2015	Permanent CTS information signs were placed onto the buildings.

Full list and Timeline as to when each participating scheme formally “came on board”

17 th December 2014	Local public consultation and subsequent notices advise of 3 business participants: <ol style="list-style-type: none"> 1. Café Nero 2. Sainsbury’s 3. The Swan
Consultation Period	PH requested additional business participants be included as alternatives including : <ol style="list-style-type: none"> 4. M&S 5. The Leisure Centre
20 th January 2015	Environment PDS Committee received a report including all 5 participants: <ol style="list-style-type: none"> 1. Café Nero 2. Sainsbury’s 3. The Swan 4. M&S 5. The Leisure Centre
Week commencing 23 rd march	Contact was made with all participants prior to “going live,” revealing The Swan’s reservations and subsequent decision to withdraw. An alternative was found – Starbucks.
1 st April 2015	The following “went live”: <ol style="list-style-type: none"> 1. Café Nero 2. M&S 3. Sainsbury’s 4. Starbucks 5. West Wickham Leisure Centre
13 th May 2015	Additional participant came forward and joined the scheme (details of new CTS information signs updated with design and print contractor): <ol style="list-style-type: none"> 6. Benvenuti

-----Original Message-----

From: Smith, Colin, Cllr [Colin.Smith@bromley.gov.uk]

Sent: Friday, January 16, 2015 01:16 PM GMT Standard Time

To: Isabel Dedring

Cc: Carr, Stephen, Cllr.; Symonds, Paul; Hume, Marc; Davies, Nigel

Subject: Bromley Transport Priorities / Bakerloo line extension

Re: Transport Infrastructure to Bromley

Dear Isabel

Further to our conversations on Transport related matters over the course of many months, and mindful of your own recent consultation regarding the potential extension of the Bakerloo Line to Hayes, I felt it might be helpful to re-state Bromley Council's policy position and future preferences on the record at this time, should any capital funding become available for key infrastructure projects.

Before doing so however and on a very positive note, we were extremely encouraged to recently learn that some thought is now being given to major investment in and improving transport links to this part of SE London/NW Kent.

We were also very pleased to hear that further serious thought is now to be given to the potential for engineering works at Lewisham Station with an eye to increasing its capacity. We strongly agree that anything which can be done at this strategically vital Junction is of key importance to the whole sub-region.

Of the extension of the Bakerloo line to Lewisham, we are also broadly supportive, mindful of the fact that it offers Bromley residents further options and transport choices in addition to those currently provided by DLR.

At that point however, I regret that our respective visions do appear to diverge.

Bromley's key priority as you know, remains an extension of the DLR to Bromley North (and ideally Bromley South), a vision supported by the Mayor for London and promised for attention in his 2012 Election manifesto.

We continue to appreciate and fully understand that some compromises might prove necessary around the precise specifications and routing of the line, potentially including the New Cross Option, but it is absolutely essential in our view that a direct connection to Canary Wharf and the emerging East London corridor be established to provide Bromley residents (and those from deeper Kent too, if the link to Bromley South were to prove possible) with access to all of the benefits and employment opportunities both will offer over future decades.

It is also the case that were such a link to be established, it would provide Bromley Town Centre with an opportunity to develop into a back office hub of excellence, providing further job opportunities for people in the sub region. Another key local aspiration.

Such a connection would of course also serve to considerably reduce pressure on the Jubilee Line.

Our second priority, certainly assuming that our shared vision of the regeneration of Crystal Palace comes to fruition, being to see Tramlink extended to that location.

We were therefore rather disappointed to find that instead of either, a proposal to run the Bakerloo line to Hayes was instead tabled, at considerably greater expense than our preferences for DLR and Tramlink combined, which we have been previously advised were too expensive.

In addition to the scheme replacing existing infrastructure which works well, rather than providing extra/new capacity, we are simply unable to support the proposal, certainly in full, as it would deny direct access to London termini to a vast swathe of Bromley residents living along Hayes Line corridor, a significant number of whom purchased their properties with that connectivity in mind.

We also cannot accept that the Hayes line's access to London Bridge should be taken away to create extra capacity for other services travelling in from deeper Kent.

It is completely unacceptable that the interests of local people paying significant amounts in Mayoral precept should be set aside for benefit of others who do not.

That said, if it were possible to extend the Bakerloo line down as far as New Beckenham, to then spur off towards Bromley South, this could be something we could get behind and support, providing the existing direct links were maintained in some form of a track sharing arrangement.

In closing, if it is possible for somebody within the project team to clarify precisely where the Bakerloo line train depots are intended to be sited, I would be extremely grateful to hear in due course please.

Kind regards

Colin

Deputy Leader & Executive Member for Environment
London Borough of Bromley