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DATE: 19 October 2015

## COUNCIL

### Meeting to be held on Monday 19 October 2015

Details of the questions and motion received are set out in the attached documents.

- 5      **QUESTIONS FROM MEMBERS OF THE PUBLIC** (Pages 3 - 4)
- 6      **ORAL QUESTIONS FROM MEMBERS OF THE COUNCIL** (Pages 5 - 6)
- 7      **WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL** (Pages 7 - 10)
- 13     **TO CONSIDER MOTIONS OF WHICH NOTICE HAS BEEN GIVEN.** (Pages 11 - 12)

*Copies of the documents referred to above can be obtained from*  
<http://cds.bromley.gov.uk/>

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## COUNCIL MEETING

19<sup>th</sup> OCTOBER 2015

### (A) QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

**(1) From David Clapham to the Portfolio Holder for Renewal and Recreation (to be answered by the Leader of the Council)**

Have Councillors been made aware that FW have submitted a QC legal opinion stating that the concept of the 'lesser evil' used by both BHAL and the Council to promote extending the hours was 'misconceived' and that this may make the decision of 25<sup>th</sup> March unsound?

**(2) From David Clapham to the Portfolio Holder for Renewal and Recreation (to be answered by the Leader of the Council)**

Have Councillors been made aware that the acoustic and aviation expert appointed by FW has confirmed that the noise measures recommended in the report by the Council's acoustic consultant are at best not stronger than measures already contained in the Lease?

**(3) From David Clapham to the Portfolio Holder for Renewal and Recreation (to be answered by the Leader of the Council)**

Are Councillors aware that information provided under the FOIA has revealed potential irregularities in the way the consultation results were arrived at that we have needed to inform the Council's senior solicitor that the matter is being investigated?

**(4) From Richard Gibbons to the Portfolio Holder for Care Services**

65% of Bromley's population is either overweight or obese - the third highest prevalence of excess weight in London. Is it mere coincidence that Bromley is also ranked 3rd for car ownership and car use, and how are members collaborating to tackle growing obesity issues at a time of trimming the fat financially?

*Sources*

*LBB Health & Wellbeing Board Obesity Action Plan 2015/16*

*GLA Health Impacts of Cars in London, September 2015*

**(B) QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY**

**(1) From Hazel Waters to the Portfolio Holder for Renewal and Recreation**

I would like to know on what financial basis Bromley Council are suggesting outsourcing the control of the library service to private enterprise. What are the projected cost/efficiency savings, and how are these to be achieved?

## COUNCIL MEETING

19<sup>th</sup> OCTOBER 2015

### QUESTIONS FOR ORAL REPLY FROM MEMBERS OF THE COUNCIL

**1. From Cllr Russell Mellor to the Chairman of Development Control Committee**

Can the Chairman advise me as to why the application in respect of No: 32 Church Avenue, No: 15/01541 was 'pulled' from the Planning Sub-Committee agenda when due for determination resulting in the proposal being referred to the Planning Inspectorate?

**2. From Cllr Michael Tickner to the Portfolio Holder for the Environment**

I have been told by your traffic engineers that mini roundabouts may only be installed where a junction has 3 significant roads meeting. Is this correct?

**3. From Cllr Angela Wilkins to the Portfolio Holder for Resources**

The meeting of E&R PDS in July was extremely critical of the levels of service reported by Liberata on both the Revenue & Benefits and the Customer Service contracts.

Is the Portfolio Holder aware of DWP data on housing benefit administration which shows that in 2014/15, LB Bromley was ranked 380<sup>th</sup> out of 382 local authorities for the length of time taken to process new claims and 357<sup>th</sup> equal for processing changes to circumstance? If not, why not? If so, is he still of the view that Liberata's performance is improving and can he please give the figures for the first quarter of 2015/16 to support this assertion?

**4. From Cllr Ian Dunn to the Portfolio Holder for Resources**

Can the portfolio holder provide the number of Collection Orders obtained for bailiffs to pursue Council Tax and Business Rates arrears in 2014/15, the value of each type of debt and the percentages recovered?

**5. From Cllr Kathy Bance to the Portfolio Holder for Education**

Has LBB revised their admission guidelines in line with the Government Guidelines, to allow parents of Summer-born children to delay their schooling by one year and then allow them to start in reception and receive the seven years of primary schooling in line with other UK children?

**6. From Cllr Kevin Brooks to the Portfolio Holder for Public Protection and Safety**

Following Bromley's recent reclassification as an emerging gangs borough we need to engage with our youths to break the cycle of gangs. Has LBB any plans to step up support for youth based activities in Penge and Cator where the gangs are predominantly based?

**7. From Cllr Vanessa Allen to the Leader of the Council**

The refugee crisis in Europe continues with no end in sight, resulting in major hardship for many people who have fled their homes due to war and other issues such as persecution, whether in Syria, Sudan, Afghanistan or elsewhere. Please would the Leader update us on progress with the register which was proposed for Bromley, contact details, whether it is available on line, for coordination of home owners, charities and other bodies such as churches, who may be offering to provide accommodation or other assistance for refugees?

**8. From Cllr Russell Mellor to the Portfolio Holder for Renewal and Recreation**

Can the Portfolio Holder inform as to the number of planning applications in the last Civic year which when presented to a Planning Sub-Committee have requested Members Views?

**9. From Cllr Angela Wilkins to the Leader of the Council**

The Local Government Transparency Code 2015 sets out “..to place more power into citizens’ hands to increase democratic accountability and make it easier for local people to contribute to the local decision making process and help shape public services. The code requires all (English) local authorities to publish the following information:

Quarterly:

- expenditure exceeding £500
- Government Procurement Card transactions
- procurement information

Annually:

- local authority land
- social housing assets
- grants to voluntary, community and social enterprise organisations
- organisation chart
- trade union facility time
- parking account
- parking spaces
- senior salaries
- constitution
- pay multiple
- fraud

Can you please clarify on which of these requirements the Council is fully compliant? Where the Council is not complaint, please explain why not and by what date the Council will comply?

**10. From Cllr Kathy Bance to the Portfolio Holder for Care Services**

For many children living in temporary accommodation their school has been the one consistent in their lives. How successful are LBB being in housing people with school aged children into temporary accommodation within a reasonable distance from the child’s schools?

### COUNCIL MEETING

19<sup>th</sup> OCTOBER 2015

#### QUESTIONS FOR WRITTEN REPLY FROM MEMBERS OF THE COUNCIL

**1. From Cllr Simon Fawthrop to the Portfolio Holder for Renewal and Recreation**

How many planning applications in the last year in relation to Petts Wood & Knoll Ward were received?

(a) in the last financial year and

(b) In this current financial year.

In relation to the total applications received by the Council what proportion is this of all the applications received by the Council in the same period?

a) Over the same period how many applications were called in to committee by Petts Wood & Knoll ward members?

b) What is this as a proportion of the total number of applications for Petts Wood & Knoll ward?

**2. From Cllr Simon Fawthrop to the Portfolio Holder for Renewal and Recreation**

How many responses to the Biggin Hill consultation survey which were included in the Council and Executive reports on 25<sup>th</sup> March 2015 were excluded from the final results because they were duplicate entries at the same address, of these how many were in favour of the proposals and how many were against?

**3. From Cllr Simon Fawthrop to the Portfolio Holder for Renewal and Recreation**

(a) What legal considerations have been given to a) the Human Rights Act in relation to both individual rights and rights to the enjoyment of land (Schedule I part II Article 1) in drawing up the report on Biggin Hill Airports proposals for extended operating hours (The Act postdates the Lease). Please provide a list of any legal advice given?

(b) the Climate Change Act 2008 in drawing up the report on Biggin Hill Airports proposals for extended operating hours (The Act postdates the Lease). Please provide a list of any legal advice given?

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

What representations has Bromley made to the Mayor of London and Stephen Greenhalgh with regard to the proposal to withdraw all Police Community Support Officers from the streets of the borough and when will there be consultation with residents of the borough on this matter?

**5. From Councillor Peter Fookes to the Portfolio Holder for Care Services**

What follow up assessment has been provided to all those residents with mild learning disabilities who were part of the Key Ring scheme who lost out as a result of the cuts that you introduced in April?

**6. From Councillor Peter Fookes to the Portfolio Holder for Care Services**

How much does the borough pay agencies for locum social workers and what is the longest contract offered?

**7. From Councillor Tom Philpott to the Portfolio Holder for Renewal and Recreation**

Further to Councillor Nicholas Bennett's oral question earlier this year, can the Portfolio Holder please give an update on the long hoped for refurbishment of West Wickham Leisure Centre. Specifically, can he update members on the current projected timescale for work to commence and whether it is expected that this work would be built into any future borough wide contract with MyTime?

Can the Portfolio Holder also advise what steps the council is taking in the meantime to ensure that facilities in West Wickham are kept up to an adequate standard by MyTime?

**8. From Cllr Angela Wilkins to the Portfolio Holder for the Environment**

Whilst I am grateful that at last the street cleaning schedule has been made available to the public, please will the Portfolio Holder change the location of the schedule on the site so that people can easily find it? As this schedule has the potential to deliver direct service monitoring by local residents, will the Portfolio Holder also agree to proactively publicise the availability of the schedule by press release / stakeholder communications etc.?

**9. From Cllr Angela Wilkins to the Portfolio Holder for Care Services**

The Portfolio Holder is aware of a recent infestation of bed bugs in Amplio House. Can the Portfolio Holder please give concise timeline of events and in particular details of how and when residents and their carers/guardians were informed of this outbreak by either Avenues Management or LBB? Can the Portfolio Holder also please supply the method statement and HACCP analysis provided by Avenues management in relation to both the prevention and treatment of infestations of this type?



**10. From Cllr Angela Wilkins to the Portfolio Holder for the Environment**

Officers report unprecedented levels of fly tipping in the Borough. I am informed that clearance of such debris is now being undertaken by personnel otherwise employed on regular street cleaning. Please can you provide details of the existing contract specification, SLA and KPIs on the clearance and disposal of fly tipped waste? Does the Portfolio Holder agree with me that residents should not suffer dirtier streets because of the actions of a minority of offenders who may well not even live in the Borough? And if so, what is he going to do to ensure this doesn't happen?

**11. From Cllr Ian Dunn to the Portfolio Holder for Resources**

Will the Portfolio Holder provide full details of the processes used by Liberata for the follow up of Council Tax and Business Rate debt, including the use of bailiffs?

**12. From Cllr Ian Dunn to the Portfolio Holder for Resources**

Will the Portfolio Holder provide the components of the Council's contract with Liberata governing their use of bailiffs.

**13. From Cllr Ian Dunn to the Portfolio Holder for the Environment**

What criteria are used to determine how frequently footpaths and carriageways are swept? Are there any differences in how these criteria are applied in different parts of the borough? Are there any plans to change these criteria?

**14. From Cllr Kathy Bance to the Portfolio Holder for Education**

Can the Portfolio Holder please provide an update on the Council's plans for the future of Kentwood Adult Education Centre?

**15. From Cllr Richard Williams to the Portfolio Holder for the Environment.**

Despite numerous complaints to Thames Water regarding an ongoing leak on Anerley Hill SE19, the leak has not been rectified. Will the Council put additional pressure onto Thames Water to rectify this problem?

**16. From Cllr Vanessa Allen to the Portfolio Holder for Resources.**

As the transition period for Independent Electoral Registration ends on 1 December 2015, please will the Portfolio Holder advise on the following:

- How many people were registered to vote, broken down by ward, for the general election of May 2015?
- How many people are individually registered to vote, broken down by ward, as of now?
- What percentage of the population of the borough do these figures represent, again by ward?

- How are moves into the borough tracked (whether into purchased or rented accommodation), and how are new residents contacted?
- What steps will be taken after 1 December to keep the electoral register up to date, and how and when will residents be contacted?

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

The recent policy to 'no longer include households on the register if they are assessed as lacking one bedroom and are not tenants of partner Housing Associations' has caused concern and consternation amongst residents. Would the Portfolio Holder please provide the rate of the appeals and specify the numbers of those who have appealed on medical grounds? Would the Portfolio Holder please inform us what levels of support and advice are being provided for residents that make an appeal, particularly concerning appeals on medical grounds?

### COUNCIL MEETING

19<sup>TH</sup> OCTOBER 2015

### MOTIONS

- (1) **To be moved by Councillor Angela Wilkins and seconded by Councillor Ian Dunn**

#### **Commissioning**

“This Council has made a commitment to commissioning as many services as possible. Whilst this policy does not have unanimous support, there is cross-party recognition that the way the Council operates and the way Members work will have to change. The work of the Contracts and Constitutional Improvement Working Groups should contribute to this, but that change can start immediately.

Commissioning has four key phases: strategic planning, procurement, monitoring/evaluation and review. Meetings that take place inside the civic centre focus primarily on the first two of these phases. In order to ensure our residents receive the services they are paying for, it is time to address this imbalance and to focus more on contract monitoring/evaluation and contract review.

This Council therefore resolves:

1. To urge the Executive to provide all Members with easily accessible and concise information on service level agreements and KPIs for all contracts worth more than £50k per annum
2. To request the amendment of the Executive and Resources PDS Committee workplan to include a review and to report back on the adequacy of staffing provision for client-monitoring of these contracts
3. To urge the Executive to publish the agreed procedures and penalties should contractors not meet their contractual obligations
4. To instruct the Executive and Resources PDS Committee to request the Contracts Working Party to conduct a full review of a recently concluded major contract
5. To urge the Executive to make as much as possible of the information above available to the public
6. To request all of the above by 30 April 2016”

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