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## COUNCIL

**Monday 25 September 2017**

The following questions have been submitted for the Council meeting on 25<sup>th</sup> September. Notice of submission of one motion has also been received.

- 6 **QUESTIONS FROM MEMBERS OF THE PUBLIC WHERE NOTICE HAS BEEN GIVEN.** (Pages 3 - 12)
- 7 **QUESTIONS FROM MEMBERS OF THE COUNCIL FOR ORAL REPLY WHERE NOTICE HAS BEEN GIVEN.** (Pages 13 - 16)
- 8 **QUESTIONS FROM MEMBERS OF THE COUNCIL FOR WRITTEN REPLY WHERE NOTICE HAS BEEN GIVEN** (Pages 17 - 18)
- 13 **TO CONSIDER MOTIONS OF WHICH NOTICE HAS BEEN GIVEN.** (Pages 19 - 20)

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

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## COUNCIL MEETING

25<sup>th</sup> SEPTEMBER 2017

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

**1. From Sam Russell to the Leader of the Council**

At the next meeting of the Executive, a decision is due to be taken regarding the future of Community Vision and Blenheim Nurseries. As the decision could involve the cessation of a directly council operated service, would the Leader consider referring the decision to a meeting of the Full Council?

**2. From Rhian Kanat to the Portfolio Holder for Education, Children and Families**

Recent LGA figures indicate a shortfall of 2,631 secondary school places in Bromley by 2022. How long has the Council been aware of a shortage of secondary school places in the Borough, and what actions have the Council taken and what are the Council's plans to address this shortage?

**3. From Stephen & Diana Evans to the Portfolio Holder for Renewal and Recreation**

The post-redevelopment pavements on Beckenham High Street have been taken by restaurants for tables, chairs, plants, boxes and A-boards in an unregulated manner and are now, in such instances, narrower than pre-redevelopment. They present obstructions for the sight-impaired, disabled, those with walking-aids or prams. Who polices the restaurants' behaviour?

**4. From Julie Ireland to the Portfolio Holder for Education, Children and Families**

The Council's auditors have presented their audit report for 2015/16 with a qualified conclusion. One reason was the failure of the Council's Children's Services Department to make the improvements requested by Ofsted following the Inadequate rating the department received. Would the portfolio holder please list the areas in which those improvements had not been made within the time frame of the auditors' report and state whether those improvements are now in place?

**5. From Dr Brian Philp to the Portfolio Holder for Renewal and Recreation**

With Bromley's sad history of heritage destruction, as at The Rookery, High Elms Mansion, the attempt to destroy the Priory/Outbuildings and the closure of its only museum in 2016, does our Council agree that the totally unnecessary demolition of the listed Vestry, an integral part of the Battle of Britain Chapel, will be another nail in the coffin of Bromley's heritage?

**6. From Ms Anna Brett to the Portfolio Holder for Education, Children and Families**

Regarding the proposed closure of Community Vision Nursery in Penge, please can you explain how the combined loss of £348,000.00 has been arrived at for the two nurseries facing closure? This figure was stated in a letter to parents dated 28/06/17. Our FOI applications for this information are overdue.

**7. From Ian Catchpole to the Portfolio Holder for Education, Children and Families**

Before the recent publicity, was the Council aware of St. Olave's Grammar School's policy on withdrawing places to children entering year 13, if so when did they become aware, did they agree with the school's policy, and what contact has the council had following the recent publicity in the media?"

**8. From Dr Josh King to the Portfolio Holder for Education, Children and Families**

What is the Council's position on the initial decision taken by St Olave's School to throw out some 6<sup>th</sup> formers half way through their A level studies?

**9. From Richard Watts to the Portfolio Holder for Education, Children and Families**

What is the role of the LA in the governance of St Olave's, a church foundation school? There have been no elections for parent governors, no current teacher and no LEA representative on the governing body. How can good governance be maintained in this situation?

**10. From Louise Selvadurai to the Portfolio Holder for Education, Children and Families**

Please could Council members explain what oversight the Council has of Saint Olave's grammar school in Orpington?

**11. From Rita Radford to the Leader of the Council**

Can the newly appointed Leader of the Council assure the residents of the London Borough of Bromley that he/she will ensure that their concerns about local matters are given due weight?

**12. From David Evans to the Leader of the Council**

In the light of the public's overwhelming condemnation of the Biggin Hill Memorial Museum design is the new Leader of the Council prepared to admit that this is, to quote Cambridge Professor of Architecture Gavin Stamp, 'a bad divisive scheme and it would be a scandal if it goes ahead?

**13. From Tia Fisher**

I would like to know why, despite the fact that St Olave's is an LEA-controlled school, Bromley Council does not respond to the complaints from parents and staff over a number of years, and has regarded the Year 12 exclusions for a grade C or below as 'legal' when the DfE rules that they are not?

**14. From Michael Thatcher to the Leader of the Council**

Is it morally defensible for one of the richest boroughs in the country to use Lottery funds to build the Biggin Hill museum, replacing their own legally allocated funds, held in escrow for many years, thus denying other deserving charities of assistance?'

**15. From Sarah McAleer to the Portfolio Holder for Education, Children and Families**

In view of the unlawful exclusion of St Olave's students between Years 12 and 13 (limiting students' options and manipulating school results),

- a) why has the local authority not nominated its own governor to provide the skills, support and challenge necessary to an effective governing body?
- b) will the local authority investigate the current governance of the school, particularly with a focus on its accountability and transparency?

**16. From Julian Grainger to the Chairman of the Education, Children & Families Select Committee**

Noting that:

- i) The unlawful grade-exclusion policy at St Olave's has operated since 2011 despite annual challenge, seriously disrupting the lives of around 60 young people and their families.
- ii) The practice of barring students from sitting A-levels to manipulate league tables limits future options for students.
- iii) Staff and students have reported behaviour that some might consider "threatening."
- iv) The unprecedented number of forum and email comments from parents and students, recent and current, attesting to a culture described as "toxic" and "uncaring."
- iv) St Olave's has a history of ignoring regulations.
- vi) A school with excellent students and teachers deserves a leadership that does not undermine its academic reputation by a combination of league table manipulation and supine governance.

Would the Chairman agree: a) that an immediate investigation into the above and related matters is more than justified, b) that if governance of the school is found wanting, an Interim Executive Board could be appointed?

**17. From Tony Wright-Jones to the Chairman of the Education, Children and Families Select Committee**

St Olave's has a growing list of deficiencies in leadership and governance such as:

- a) Staff, Parent and Student complaints and concerns being ignored.
- b) Rigging by the Head Master in the democratic election of a Chairman.
- c) A history of Numerous regulations and statutory guidelines ignored.

Would the Chairman agree the leadership appears autocratic and appropriate governance significantly lacking, and that;

- a) a proper investigation undertaken immediately;
- b) to include a School and Governance Review; and
- c) an Interim Executive Board is an option

- to protect students and teachers from harm.

**18. From Sam Russell to the Portfolio Holder for Education, Children and Families**

A decision about the future of Community Vision and Blenheim Nurseries is due to be taken at the Executive Meeting on 18<sup>th</sup> October. Could the Portfolio Holder summarise the opportunities for scrutiny related to this decision that will have taken place prior to this meeting?

**19. From Rhian Kanat to the Portfolio Holder for Education, Children and Families**

Please could the council provide a breakdown of the shortfall of secondary school places by gender in different parts of the Borough?

**20. From Stephen & Diana Evans to the Portfolio Holder for Renewal and Recreation**

What provision has been made in the redevelopment of Beckenham High Street for the parking and/or secure parking of bicycles?

**21. From Julie Ireland to the Portfolio Holder for Resources**

How many apprenticeships has the Council offered since 2014 and what is the current employment status of the people who took up those apprenticeships?

**22. From Dr Brian Philp to the Portfolio Holder for Renewal and Recreation**

In January, 2015 the Prime Minister stated "we will protect the chapel and do all we can to protect and preserve it for future generations." £2M of Libor money was then allocated for the purpose. With the intended demolition of the listed Vestry, an integral part of the Chapel, which part of "protect and preserve" does the Council and its two advisers not understand?

**23. From Anna Brett to the Portfolio Holder for Education, Children and Families**

FOI application 13384 MOSELEY shows Community Vision Nursery made a profit for 3 years before 2016/2017 when it made a £16,073.00 loss. This is due to a £85,840.00 drop in CSC recharge, 68% less than forecast and 67% less than 2015/2016 actuals. Please explain why this reduction has occurred?

**24. From Richard Watts to the Portfolio Holder for Education, Children and Families**

Is it true that the legal department of Bromley Council advised the Head of St Olave's 5 years ago that a results based 6th form progression policy was unlawful?

**25. From Louise Selvadurai to the Portfolio Holder for Education, Children and Families**

Please could Council members confirm when a representative of the LEA will be confirmed as a governor of Saint Olave's Grammar school in Orpington?

**26. From Rita Radford to the Leader of the Council**

Will the newly appointed Leader strive to ensure the reputation of London Borough of Bromley Council is beyond reproach?

**27. From David Evans to the Leader of the Council**

Does the Leader agree with me that the St George's Royal Air Force Chapel of Remembrance is a most sensitive site with regard to its development?

**28. From Tia Fisher to the Portfolio Holder for Education, Children and Families**

When will there be representation from the LEA on the St Olave's Board of Governors?

**29. From Sarah McAleer to the Portfolio Holder for Education, Children and Families**

Can the Portfolio Holder please tell me the date(s) on which the Council gave permission for any such St Olave's company/companies to be set up?

**30. From Sam Russell to the Portfolio Holder for Education, Children and Families**

In report CS14073, section 3.10, it is stated that additional nurseries in Penge "do not have sufficient capacity to accommodate the volumes currently accessing Community Vision Nursery." Would this, in the Portfolio Holder's opinion, be evidence that no other provider is willing to provide childcare?

**31. From Anna Brett to the Portfolio Holder for Education, Children and Families**

Has anyone body responsible for making the decision to close Community Vision actually visited the nursery? If not, are there plans for this visit to happen before the Executive Meeting on 18th October?

**32. From Louise Selvadurai to the Portfolio Holder for Education, Children and Families**

Please could council members explain what action the council and the borough's Department for Education Services is taking after Saint Olave's Grammar school's policy of removing pupils from the school based on academic achievement at the end of Year 12 was deemed to be unlawful by the Department for Education?

**33. From David Evans to the Leader of the Council**

When the London Borough of Bromley agreed to take on the RAF Chapel did they realise that they did so on behalf of the nation?

### **34. From Tia Fisher to the Portfolio Holder for Education, Children and Families**

How can teachers and parents of students at St Olave's pursue an investigation into the governing body and senior management of the school in order to expose and correct the lack of pastoral care, lack of whistle-blowing policy, and the authoritarian nature of the regime imposed by the headmaster and Senior Leadership Team, who do not listen to concerns from staff, parents and students?

**COUNCIL MEETING****25<sup>th</sup> SEPTEMBER 2017****QUESTIONS FROM MEMBERS OF THE PUBLIC  
FOR WRITTEN REPLY****1. From Colin Willetts to the Portfolio Holder for the Environment**

Could the Portfolio Holder (i) tell us if the W4F site has been cleared? (ii) if not, when will it be cleared? (iii) following clearance has LBB any plans to enhance the sites appearance?

**2. From Colin Willetts to the Portfolio Holder for the Environment**

Having reported (12/3/17) a dropped kerb trip hazard in Kelsey Road junction Pleasance Road due to a poor reinstatement (light concrete skim broken around manhole cover) by B T, would the Council chase them up to reinstate to a good standard on par with the dropped kerb on the opposite side of this junction?

**3. From Rhian Kanat to the Chairman of Development Control Committee**

Please provide details of how much affordable housing has been built in the Borough in each of the past 4 years broken down by ward and how much affordable housing is planned to be built in the Borough by ward on the next 4 years.

**4. From Sam Webber to the Portfolio Holder for Care Services**

What is the current waiting time for social care placement or packages for residents who are ready to be discharged from hospital but cannot be due to lack of social care capacity?

**5. From Sam Webber to the Portfolio Holder for the Environment**

What was the impact on infrastructure, buildings and the local economy following the Thames Water leak along Bromley Common in July? Has the Council updated its response procedures following this incident?

**6. From Sam Webber to the Portfolio Holder for the Environment**

Can the Council review the lack of bins within 10 minutes' walk of town centres? This lack of bins causes extra litter which is dropped on pavements or in gutters. Noting this, could a bin (preferably split with half recycling and half litter) be installed close to the bus stop on Westmoreland Road (close to the corner of New Farm Avenue) where there is a large amount of litter?

**7. From Ms E Sini to the Portfolio Holder for Education, Children and Families**

If, as we have seen reported, Bromley wrote to the school 5 years ago to inform the headmaster / governing body that its approach to progression to year 13 was illegal, what subsequent action was taken by Bromley to ensure that the school would desist from such practices?

**8. From Ms E Sini to the Portfolio Holder for Education, Children and Families**

When will a complete investigation into the School's governance be completed and published to include:

- the lack of correct governor representation from parents and Council members over many years;
- the changes of criteria to year 12 entry, when a less than well publicised "consultation" resulted, we understand, in 1 anonymous response being received and being deemed sufficient to move ahead with proposed changes (despite petitions for reconsideration to be made);
- the headmaster feeling that he can summarily dismiss existing PA members with no regard (awareness) of proper corporate/ school governance; and
- the alleged undermining of staff by the headmaster, making whistle-blowing impossible.

**9. From Ms E Sini to the Portfolio Holder for Education, Children and Families**

What are the reward metrics of the headmaster for his pay rises and bonus payments?

**10. From Siobhan Gee to the Portfolio Holder for Education, Children and Families**

Are the Council able to instigate an investigation into the financial position at St Olave's school, Orpington, particularly in relation to the headteacher and the bursar setting up a private company to use the school's logo without the board of governors realising this?

**11. From Siobhan Gee to the Portfolio Holder for Education, Children and Families**

Is the board of governors at St Olave's operating according to their constitution with a full board of elected and nominated members and do they have sufficient authority to challenge the headmaster?

**12. From Siobhan Gee to the Portfolio Holder for Education, Children and Families**

The staff association have expressed a lot of concerns about how St Olave's is run. Can these concerns be fully investigated by independent people who have sufficient authority to make recommendations which will be implemented?

**13. From James Williams-Ward to the Portfolio Holder for Education, Children and Families**

There have been widespread reports of poor pastoral support at St Olave's at exam and post exam/results stage for GCSE and 'A' Level pupils. What will the London Borough of Bromley do to investigate the concerns that have been raised by the student body, parents and many of the teachers? How will school governance be reformed to prevent this happening again?

**14. From James Williams-Ward to the Portfolio Holder for Education, Children and Families**

Considering recent press coverage, and recognition of the fact that the senior management team at St Olave's has been ignoring the London Borough of Bromley's exclusion recommendations for five years to maximise performance rankings, how will the London Borough of Bromley verify that this team is fit to stay in their roles to nurture and develop the talent of Bromley and surrounding Boroughs in the future?

**15. From Maria Koutani to the Portfolio Holder for Education, Children and Families**

After recent publicity about St Olave's school and the issues which have occurred, is the Council willing to take any action starting an investigation in order to protect the school's daily life and reputation?

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## COUNCIL MEETING

25<sup>th</sup> SEPTEMBER 2017

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

**1. From Councillor Nicholas Bennett JP to the Leader of the Council**

If he will make a statement on his vision for the future of the Borough?

**2. From Councillor Tony Owen to the Bromley Heritage Champion**

What steps will he take to ensure that the London Borough of Bromley is represented at the Council for Kentish Archaeology conference on 14th October 2017 when Bromley is invited to receive a heritage award?

**3. From Councillor Angela Wilkins to the Leader of the Council**

Could you please outline your position on transparency and openness as regards meetings and decision making in this Council?

**4. From Councillor Ian Dunn to the Portfolio Holder for Environment**

Can the Portfolio Holder please explain why he was unable or unwilling to provide the current timetable for the Environmental Services procurement to the Environment PDS meeting in July?

**5. From Councillor Vanessa Allen to the Portfolio Holder for Resources**

Answering my question concerning investment in fossil fuels at the June Council meeting, Councillor Arthur pointed out that only 0.04% of the total portfolio is currently invested in fossil fuels. As this is self-evidently a very small percentage, and there are good returns to be had from a multitude of more environmentally friendly funds, I repeat my request for Bromley to divert this money.

**6. From Councillor Peter Fookes to the Leader of the Council**

What are his priorities in the run up to the Local Elections next year?

**7. From Councillor Nicholas Bennett JP to the Portfolio Holder for the Environment**

If he will list the number of times in the past three years officers have required residents to cut back vegetation over hanging the pavement or highway because of obstruction or possible injury to the public?

**8. From Councillor Tony Owen to the Portfolio Holder for Renewal & Recreation**

What options have been discussed for the future of the Walnuts Leisure Centre site in Orpington?

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

There has been a noticeable decrease in the number of organisations (particularly charities and the third sector) who are willing or able to tender or re-tender for Council contracts because of financial constraints. Would he agree with me that it is time now to re-visit the 60:40 value to quality policy in order that Bromley ensures it attracts the best contractors?

**10. From Councillor Ian Dunn to the Portfolio Holder for Environment**

In response to my question in April you stated that the Council's liability for Cornwall Drive "might be" limited to £300k. The paper which came to Council just four months later in July had a revised estimate of £573k. Can you please confirm that this really will be the limit of the Council's liability?

**11. From Councillor Vanessa Allen to the Portfolio Holder for Environment**

It is standard practise over most of London and indeed the country for councils to offer a recycling service for business waste. Please would the Portfolio Holder instigate business waste recycling throughout the borough, and include it in the tender for the waste services contract. Business waste recycling collections could also be used for collection of on street recycling which is also standard in many parts of London, so please can this also be included in the service specification?

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

What steps is she taking to ensure the future of Carers Bromley?

**13. From Councillor Nicholas Bennett JP to the Portfolio Holder for the Environment**

How frequently are the street litter bins at the following locations emptied:

- Addington Road to Rydal Drive footpath;
- Rydal Drive to Windermere Road footpath;
- Hawes Lane by Hawes Down School and Centre entrance;
- Hawes Lane by Glebe School entrance?

**14. From Councillor Angela Wilkins to the Portfolio Holder for Public Protection and Safety?**

Will the Portfolio Holder require all LBB food establishments to visibly display their food hygiene scores on premises and websites?

**15. From Councillor Ian Dunn to the Portfolio Holder for Care Services**

What will be the impact on the Council's Care Services of the inclusion of the South East London STP footprint in the NHS's Capped Expenditure Process.

**16. From Councillor Vanessa Allen to the Portfolio Holder for Renewal & Recreation**

Will the Portfolio Holder join with me in congratulating all of the organisers and volunteers who enabled Bromley to participate in London Open House for the first time in several years?

**17. From Councillor Peter Fookes to the Portfolio Holder for Education, Children and Families**

Is he aware of the considerable parental concerns about the management of St Olave's School?

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### COUNCIL MEETING

25<sup>TH</sup> SEPTEMBER 2017

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

**1. From Cllr Nicholas Bennett JP to the Portfolio Holder for Resources**

How many claims for injury as a result of detritus from street trees have been settled in the past three years?

**2. From Councillor Nicholas Bennett JP to the Portfolio Holder for Education, Children and Families**

If he will set out the management structure and responsibilities of his department from October 1<sup>st</sup>?

**3. From Councillor Ian Dunn to the Portfolio Holder for the Environment**

Please provide the number of “missed collection” reports for refuse and recycling collection received for the year April 2016 – March 2017, broken down by business/residential and by ward.

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

Please provide the cost of preventing an officer of the Council from having to be a witness in the criminal case against Olajide Sholanka heard in Kingston Crown Court in 2016.

**5. From Councillor Ian Dunn to the Portfolio Holder for Resources**

Please provide a breakdown of the Council’s use of Agency Staff, showing person days and net cost, by month from April 2016 to as recently as figures are available, broken down by Adult Social Care, Children’s Social Care, other EHCS, ECS and other. Please also show the number of employees in FTE with the same breakdown

**6. From Councillor Angela Wilkins to the Portfolio Holder for Resources**

Please provide details of the concerns registered by the member of the public in relation to the Council’s annual accounts 2016-17

**7. From Councillor Angela Wilkins to the Leader of the Council**

When will the recent internal audit into waste services be published on the council’s website? Please provide an update on implementation of the 15 priority 1 recommendations contained in that audit.

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

Some residents in Crystal Palace are having to phone the council every week because their recycling bins are not being emptied. Customer Services tell them this is because they are not putting their bins out on the pavement. However the Council's website says: "Your waste needs to be ... placed at the front of your property within arm's reach of the pavement (edge of curtilage) but not on it.". When challenged on this, Customer Services insist they are correct and the website wrong. Who has got it right here? How does such contradictory advice to the public come about? And given that each 'missed bin' report results in a one-off visit to rectify the position, and that the contractor generally has to pay for this, does the Portfolio Holder feel obliged to compensate Veolia for causing such incidents by providing misinformation to the public?

**9. From Councillor Peter Fookes to the Portfolio Holder for the Environment**

What is the backlog of trees in need of pruning?

**10. From Councillor Peter Fookes to the Portfolio Holder for the Environment**

How many mobile cameras are currently available to deal with grot spots?

**11. From Councillor Peter Fookes to the Portfolio Holder for the Environment**

When will works to Penge High Street restart and finish?

**COUNCIL MEETING**  
**25<sup>TH</sup> SEPTEMBER 2017**

**MOTION**

To be moved by Councillor Angela Wilkins and seconded by Councillor Ian Dunn -

“This Council confirms its commitment to the maximum possible levels of openness and transparency.

Council requests a report with recommendations to its next meeting on how this commitment may be better enacted.”

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