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COUNCIL

Monday 25 February 2019

5 QUESTIONS AND REPLIES (Pages 3 - 16)

- (a) Questions from members of the public for oral reply.
- (b) Questions from members of the public for written reply.
- (c) Questions from Members of the Council for oral reply (to follow).
- (d) Questions from Members of the Council for written reply.

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

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COUNCIL MEETING

25TH FEBRUARY 2019

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

1. From Taylor Matthews to the Leader of the Council

Can the Leader of the Council explain why Bromley (the first London Council to debate and vote in favour of Brexit) is the last to put contingency plans in place, and when rate payers will be advised of said plans?"

Reply:

The Council has undertaken no independent analysis on the possible effects or otherwise of Brexit. Senior staff within Bromley Council continue to hold no reported concerns as to staffing or service issues.

In the unlikelihood any unforeseen operational or financial liabilities were to arise to the downside, the Council carries sufficient contingency reserves to ensure there will be no disruption to valued local services.

The latest general thoughts on related matters pan-London can be found on the following link from a recent London Councils Leaders Committee agenda:

<https://www.londoncouncils.gov.uk/node/35057>

Supplementary Question:

Has the Council considered the impact on services that are particularly vulnerable if EU nationals do not secure a good deal, such as adult social services?

Reply:

Officers see no problems around staffing levels, particularly around services to vulnerable people of any nationality.

Additional Supplementary Question from Cllr Ian Dunn:

Has Cllr Smith read the Ernst & Young Local Government Audit Committee Briefing dated December 2018 where the briefing discusses the impact on social care provision and states that the social care workforce is particularly susceptible to the impact of Brexit?

Reply:

I did not hear which august body wrote the report in question, but what I can tell you with certainty is that those of us in this chamber, certainly on this side, know more about social services in Bromley than whoever wrote that report.

Additional Supplementary Question from Cllr Simon Fawthrop:

Is the Leader aware that the Government has given every assurance to EU nationals that after Brexit they will be welcome to remain, and we also welcome those of them living and working in this country to remain here after Brexit.

Additional Supplementary Question from Cllr Nicholas Bennett:

Would the Leader agree with me that the proposal by the Leader of the Opposition tonight to support a second referendum, which would cost this borough half a million pounds, is a complete and utter waste of money?

Reply:

I would say in the first part to Councillor Bennett's question - absolutely. It would also be an insult to democracy across this country following the referendum and a failure to deliver it.

In answer to Cllr Fawthrop, I have temporarily forgotten his question, but the answer was definitely yes.

COUNCIL MEETING

25TH FEBRUARY 2019

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY

1. From Julie Ireland to the Renewal, Recreation & Housing Portfolio Holder

Given the Planning Inspector's refusal of the application in respect of the multi storey school at 1 Westmoreland Road, will the Council now amend the Bromley Local Plan to change the designated use of this site?

Reply:

The planning appeal process does not alter the Bromley Local Plan designation of this site but a future planning application for any use should take into account the latest appeal decision and in particular the reasons for dismissal.

2. From Julie Ireland to the Environment & Community Services Portfolio Holder

In view of the Planning Inspector's refusal of the application in respect of the multi storey school at 1 Westmoreland Road, what are the Council's plans for the much needed pedestrian and cycling improvements to this junction including plans for the safeguarded land on the corner of Masons Hill and Westmoreland Road?

Reply:

The application was not dismissed on Highway grounds. At paragraph 56 the Inspector concluded: - '*I have also found that highway safety concerns have not been borne out*'. There are not therefore direct consequences arising from the decision, as would have been the case had it been allowed.

3. From Julie Ireland to the Renewal, Recreation & Housing Portfolio Holder

What costs were incurred by the Council in the Bullers Wood School for Boys appeal in respect of St Hugh's Playing Fields?

Reply:

The Council spent £49825 on external Transport consultants; this excludes Legal costs which are subject to confidentiality of commercial information.

4. From Sam Webber to the Environment & Community Services Portfolio Holder

Following a written answer to me in December 2017 stating that the Council would "give this matter some consideration subject to available budgets and practicalities" can I ask for an update on erecting a small plaque or sign to mark the grave of Captain George Allan Maling VC in Chislehurst Cemetery?

Reply:

The parks and greenspace service provider's Director, Mr Frank Kleinhans (Frank.Kleinhans@idverde.co.uk), is aware of the desire to erect a small plaque at this location. He would welcome your thoughts, including any further historic background, in order to ascertain how this is best delivered at the location.

5. From Sam Webber to the Environment & Community Services Portfolio Holder

I have been advised that grave ownership 'in perpetuity' in reality lasts only for 25 years under the 1972 Local Government Act.

In light of this would LBB consider issuing a public notice of intent to transfer ownership of grave number A2017 at Chislehurst Cemetery from the executor of the estate of the grave owner to the Victoria Cross Trust which would like to take over ownership and restore the gravestone of Captain Maling VC?

Reply:

Before the Local Authorities' Cemeteries Order 1977, the main legislation relating to burial was governed by the Burial Acts 1852 – 1906 (15 in total), and the Cemeteries Clauses Act 1847. Many of these Acts have now been repealed.

With regards to defining the period of rights to a grave, the issue of perpetuity is covered in the Local Authorities' Cemeteries Order 1977 – the Order allows an authority to determine a right of burial if the grave has never been used and 75 years has elapsed since the date of the grants. The Order also allows agreements to maintain a grave to be determined (returned to the council) after 100 years, even if these were made in perpetuity. The Order limits the time that any new grants of exclusive right of burial can be made for to a maximum of 100 years. It does not, however, give any provision for limiting grants made in perpetuity prior to the order or provide a mechanism for reclaiming or shortening those rights where they have been exercised. The implication therefore is that any rights that were granted in perpetuity under any previous legislation remain in perpetuity.

We would be pleased to engage with the Victoria Cross Trust regarding the potential of restoring the gravestone of Captain Maling VC.

6. From Chloe-Jane Ross to the Portfolio Holder for Renewal, Recreation & Housing

What are the latest estimates of homeless people in the borough, including counts of those living on the streets? Is data available for area (Beckenham, Bromley, Orpington etc)?

Reply:

Bromley's Homeless Strategy sets out detailed data regarding homeless trends and estimates. However in summary there are currently estimated to be approximately 3,500 households who are homeless or in insecure accommodation in Bromley. The vast majority of these households are currently accommodated in forms of temporary accommodation or under interim arrangements and as such are not 'roofless'.

The last rough sleeper head count was held in November 2018. A total of 6 people were found; 3 in Bromley, 2 in Orpington and 1 in Penge. Contact was made with all of these rough sleepers to offer support and assistance with rehousing.

7. From Chloe-Jane Ross to the Portfolio Holder for Renewal, Recreation & Housing

What support did the Council provide to shelters and homeless charities over the Christmas period?

Reply:

Bromley's rough sleeper outreach services are funded by central government alongside the no second night out programme and emergency accommodation hubs. Support was offered by these services throughout the Christmas period. Bromley also provides dedicated caseworkers and housing advice surgery support across the borough including through churches, charities and the shelter. This includes 24/7 365 day access to emergency advice and temporary accommodation provision. In addition, in line with the severe weather emergency provision requirements (SWEP), the Council has directly provided accommodation during the Christmas and cold weather periods for anyone found to be homeless and sleeping rough, with referrals able to be made directly by shelters and homeless charities for support. Funding support is then provided to assist directly with move-on to settled accommodation secured.

8. From Chloe-Jane Ross to the Portfolio Holder for Environment & Community Services

When will the 2010 Air Quality Action Plan be updated?

Reply:

The Mayor of London's revised draft Air Quality Action Matrix was only received by the Council in October 2018, with the consultation period closing in November 2018 and now that this has been agreed by the Mayor (we're checking the date), the Council is now refining its draft Air Quality Action Plan for consultation in due course.

9. From Rich Wilsher to the Portfolio Holder for Children, Education & Families

How many children in the care of the Council care are currently placed outside of the borough?

Reply:

We currently have 61 children placed at distance out of the borough –31 of these children are in specialist placements.

10. From Rich Wilsher to the Portfolio Holder for Children, Education & Families

Are the Council planning to review casework and policies in light of the recent media attention of a Bromley parent and the use of out-of-borough placements of children in care?

Reply:

The Council are not planning on reviewing casework policies.

COUNCIL MEETING

25TH FEBRUARY 2019

QUESTIONS FROM MEMBERS OF THE COUNCIL FOR WRITTEN REPLY

1. From Cllr Tony Owen to the Environment & Community Services Portfolio Holder

The report for the proposed Crofton Road cycle lanes between Orpington Station and the Crofton Lane mini roundabout indicated that the emergency services had not been consulted.

An officer email tells me that this would be done once the scheme was approved. Will you please publish the replies received from each service for the Council meeting, ready for inclusion in the minutes?

Reply:

Once we have a detailed design that has gone through the Stage 2 RSA we will consult with the emergency services as part of the normal consultation process. Additionally, because of the scale of the Project, we will also be holding a public exhibition.

2. From Cllr Ian Dunn to the Leader of Council

Please provide an organisation chart showing the direct reports of the Chief Executive with their direct reports, including a summary of each post holder's main responsibilities. Please show on the chart where a post is vacant or occupied by an interim post-holder.

Reply:

(See appendix 1 attached. Further details are available to all Members on the Council's intranet.)

3. From Cllr Ian Dunn to the Leader of the Council

Please provide the number of staff who have left the Council's employment since 1 January 2014, broken down by calendar year, department and reason for leaving (Retirement, redundancy, resignation, other.) How much has been spent on redundancies since 1 January 2014, broken down by calendar year and department?

Reply:

(A) The number of staff who have left the Council's employment since January 2014, broken down by calendar year.

From 01/01/2018 to 31/12/2018	Department		
Leaver Reason	Chief Executives	Education, Care & Health Services	Environment & Community Services
Other	4	17	6
Redundancies	3	5	1
Resignations	13	118	32
Retirements	5	15	4
Total	25	155	43

From 01/01/2017 to 31/12/2017	Department		
Leaver Reason	Chief Executives	Education, Care & Health Services	Environment & Community Services
Other	12	58	136
Redundancies	1	5	3
Resignations	12	102	23
Retirements	4	15	8
Total	29	180	170

From 01/01/2016 to 31/12/2016	Department		
Leaver Reason	Chief Executives	Education, Care & Health Services	Environment & Community Services
Other	7	13	15
Redundancies	4	101	9
Resignations	10	120	24
Retirement		16	9
Total	21	250	57

From 01/01/2015 to 31/12/2015	Department		
Leaver Reason	Chief Executives	Education, Care & Health Services	Environment & Community Services
Other	6	127	30
Redundancies	5	18	16
Resignations	12	118	32
Retirement	3	31	7
Total	26	294	85

From 01/01/2014 to 31/12/2014	Department		
	Chief Executives	Education, Care & Health Services	Environment & Community Services
Leaver Reason			
Other	31	11	8
Redundancies	6	9	5
Resignations	8	117	33
Retirements	6	15	6
Total	51	152	52

(B) Redundancy costs By Department - Financial Years 2014/15 to 31/12/18
(The redundancy payment information is only available by financial year)

Total from 1 April 2014 to 31 December 2018

ECHS	453,614.82
ECS	442,502.00
CEX	464,746.73
TOTAL	1,360,863.55

2014/15	
ECHS	56,204.00
ECS	33,590.00
CEX	94,916.00
TOTAL	184,710.00

2015/16	
ECHS	178,169.00
ECS	157,993.00
CEX	143,851.00
TOTAL	480,013.00

2016/17	
ECHS	911,497.00
ECS	213,859.00
CEX	130,526.00
TOTAL	1,255,882.00

2017/18	
ECHS	191,140.00
ECS	37,060.00
CEX	19,446.00
TOTAL	247,646.00

2018/19	up to 31/12/18
ECHS	28,101.82
ECS	-
CEX	76,007.73
TOTAL	104,109.55

4. From Cllr Ian Dunn to the Leader of the Council

Please provide the number of current vacancies, broken down by department.

Reply:

Department	Current Number of Vacancies
Chief Executives	27
Education, Care & Health Services	175
Environment & Community Services	39
Total	241

5. From Cllr Angela Wilkins to the Portfolio Holder for Resources, Commissioning and Contract Management

How much has been spent in the last 2 years on refurbishing the toilets used by Children's Social Care staff?

Reply:

The toilets on the ground floor St Blaise were refurbished in 2017 at a cost of £36k. The building is predominantly, but not exclusively used by Children's Social Care staff and the toilets serve all staff in the building.

6. From Cllr Angela Wilkins to the Portfolio Holder for Renewal, Recreation & Housing

Please provide detailed plans for how the £3.3m of s106 monies available for housing are actually going to be spent and when.

Reply:

Spending plans are more detailed where the s106 obligations approach short to medium term spending deadlines. In the case of Housing the Executive approved detailed expenditure plans close to the end of 2018, mainly comprising grants to Clarion for Affordable Housing provision in the Borough. These are subject to regular scrutiny by the E&RC PDS. The uses of s106 Affordable Housing funds are subject to approval in the usual way as for other Council expenditure.

7. From Cllr Angela Wilkins to the Portfolio Holder for Environment & Community Services

What is the Council's policy in relation to advertising erected on Council owned properties, including fences to parks etc?

Reply:

The Council's policy is that all advertising erected on Council property should comply with the relevant Town Planning Acts with regard to size and duration of display. To ensure the content of any advertisements are acceptable, the Council has an advertising policy which is available online -

https://www.bromley.gov.uk/info/200116/websites/617/advertising_policy.

Specifically to Parks, all events through the application process require any advertisements to comply with all applicable planning requirements and this is further qualified with specific reference to the precise legislative requirements in the application information.

The Council also needs to receive a benefit, either through our advertising contracts, a paid for event in our parks or on behalf of a Friends Group. Friends Groups provide an extensive number of volunteer hours in our Parks, Greenspaces, Streets and Snow clearance.

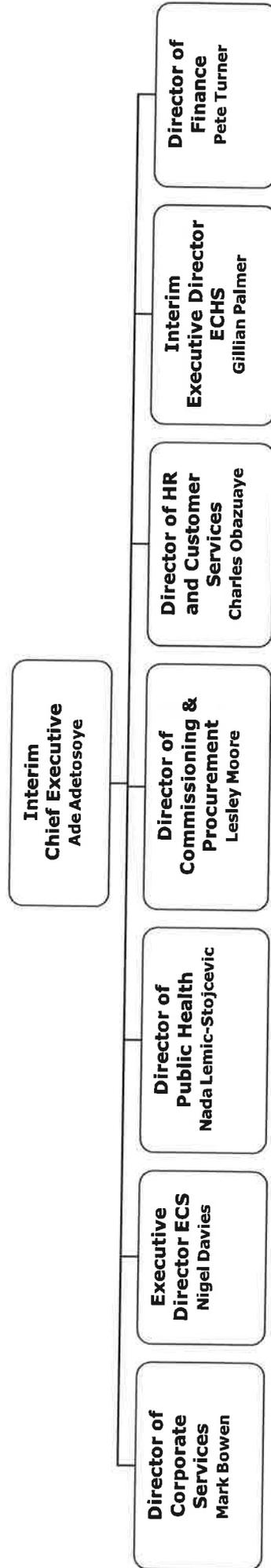
8. From Cllr Nicholas Bennett JP to the Portfolio Holder for Renewal, Recreation and Housing

If he has seen the article in the Times of February 14th 2019 by David Aaronovitch and the subsequent correspondence on Feb 15th, 17th, 18th and 19th regarding a statue for Richmal Crompton and her creation Just William and whether he will consider approaching Macmillan, the publishers of the William books and Wetherspoons, the owner of the Richmal Crompton pub at Bromley South to see whether they would be prepared to help sponsor a statue at this location?

Reply:

In short no, but I would be willing to endorse you in your role as the borough's Heritage Champion in pursuing your idea of attracting sponsorship for the creation of a statue.

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