

LONDON BOROUGH OF BROMLEY

MINUTES

of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 8 December 2014

Present:

**The Worshipful the Mayor
Councillor Julian Benington**

**The Deputy Mayor
Councillor Kate Lymer**

Councillors

Vanessa Allen	Simon Fawthrop	Tom Philpott
Graham Arthur	Peter Fortune	Chris Pierce
Douglas Auld	Hannah Gray	Neil Reddin FCCA
Teresa Ball	Ellie Harmer	Catherine Rideout
Kathy Bance MBE	Will Harmer	Charles Rideout
Nicholas Bennett J.P.	Samaris Huntington- Thresher	Michael Rutherford
Ruth Bennett	William Huntington- Thresher	Richard Scoates
Eric Bosshard	Charles Joel	Colin Smith
Kim Botting	David Livett	Diane Smith
Katy Boughey	Russell Mellor	Melanie Stevens
Kevin Brooks	Alexa Michael	Tim Stevens
Lydia Buttinger	Peter Morgan	Michael Tickner
David Cartwright	Keith Onslow	Pauline Tunnicliffe
Alan Collins	Tony Owen	Michael Turner
Mary Cooke	Angela Page	Stephen Wells
Peter Dean	Ian F. Payne	Angela Wilkins
Ian Dunn	Sarah Phillips	Richard Williams
Nicky Dykes		
Robert Evans		

The meeting was opened with prayers

In the Chair
The Mayor
Councillor Julian Benington

48 Apologies for absence

Apologies for absence were received from Cllrs Kim Botting, Stephen Carr, Judi Ellis, Peter Fookes, David Jefferys and Terence Nathan.

Apologies for lateness were received from Councillor Ruth Bennett.

49 To confirm the Minutes of the meeting of the Council held on 13th October 2014

Members noted in relation to the motion proposed by Councillor Ian Dunn at the last meeting (minute 46) that the issue had been considered by Executive and Resources PDS Committee on 19th November 2014, after which a letter had been sent to the Chancellor of the Exchequer by the Leader of the Council. Copies of the letter were circulated at the meeting.

The Minutes of the meeting held on 13th October 2014 were confirmed.

50 Declarations of Interest

During consideration of the motions set out in minute 57, Councillor Simon Fawthrop declared an interest as an employee of British Telecom in relation to motion (1) and Councillor Teresa Ball declared an interest as her husband was employed in the financial sector in relation to motion (2).

51 Questions from members of the public where notice has been given.

One question had been received from Patricia Trembath. The question and written answer are set out in [Appendix A](#) to these minutes.

52 Oral questions from Members of the Council where notice has been given.

Twelve questions for oral reply and one urgent question had been received. The questions and answers are set out in [Appendix B](#) to these minutes.

53 Written questions from Members of the Council

Twenty two questions had been received for written reply. The questions and answers were circulated at the meeting and set out in [Appendix C](#) to these minutes.

54 To consider any statements that may be made by the Leader of the Council, Portfolio Holders or Chairmen of Committees.

No statements were made.

55 Treasury Management - Performance Q2 2014/15 and Mid-Year Review.

A motion to approve changes to the 2014/15 prudential indicators was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED.**

56 Council Tax Support/Reduction - 2015/16

A motion to approve the recommendation from the Executive to adopt the Local Council Tax Reduction Scheme for 2015/16 was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED**.

57 To consider Motions of which notice has been given.

Three motions were considered as follows -

(1) Superfast Broadband

The following motion was moved by Councillor Will Harmer and seconded by Councillor Lydia Buttinger -

“This Council notes the Government’s recent £1 billion investment to secure superfast broadband to 90% of the UK by 2016 and has already seen the positive impact that this investment has in supporting businesses both across the country and in the neighbouring County of Kent.

However, it is disappointed that as a London Borough, Bromley is ineligible for any funding under the Superfast Broadband Programme to improve the very poor provision of Superfast Broadband in the rural parts of the Borough.

It requests that the Secretary of State for Culture, Media and Sport and the Greater London Authority (“GLA”) meet with the Council to discuss how best it can meet the Programme objectives and the needs of our residents and businesses in rural areas and if funding could be extended to provide the required investment.”

The motion was **CARRIED**.

(2) Financial Transaction Tax

The following motion was moved by Councillor Angela Wilkins and seconded by Councillor Ian Dunn -

“It is wrong that local authority funding is continuing to be cut and essential services are being hit in order to pay for the bailout to the financial sector. This Council therefore calls on the Government to introduce a Financial Transaction Tax in order that more resources can be made available to local councils.”

The motion was **LOST**.

(3) Devolution of powers and finance to local councils

The following motion was moved by Councillor Nicholas Bennett JP and seconded by Councillor Colin Smith -

Council
8 December 2014

“This Council notes the proposal to give Scotland more devolved responsibilities and tax raising powers and believes that, as far as practicable, responsibility for local services and their financing should also be devolved down to the most appropriate level of government in England and therefore calls upon the Government to examine how this can be achieved as soon as possible.”

The motion was **CARRIED**.

58 The Mayor's announcements and communications.

The Mayor thanked those Councillors who had attended the Mayoress' ladies lunch on Wednesday 26th November and the Business Reception on Thursday 27th November. Both events had been a great success.

The Mayor invited Members to the following events:

- The Mayor's Christmas Coffee Morning on Tuesday 16th December at 10am, with a choir from Biggin Hill Primary School.
- A Black Tie Boxing Dinner at the Warren on Friday 23rd January 2015, (this was nearly sold out.)
- The annual Quiz Evening in the Great Hall at the Civic Centre on Friday 20th February 2015.

Invitations and further information would be sent out from the Mayor's office nearer the dates.

Mayor

The Meeting ended at 8.56 pm

COUNCIL MEETING

8th DECEMBER 2014

QUESTION FROM A MEMBER OF THE PUBLIC FOR WRITTEN REPLY

(1) From Patricia Trembath, Chair, Crystal Palace Community Development Trust, to the Portfolio Holder for Resources

What are the statutory and other duties and responsibilities placed on a local authority to maintain properties which it owns and manages on behalf of local council tax payers?

Reply:

All organisations that own property irrespective of whether they are a Local Authority, have a number of maintenance responsibilities.

Many of our Buildings in addition to them being places of work, are also open to the public, we have then a range of statutory duties to fulfil which for example we undertake through Cyclical maintenance.

Cyclical Maintenance involves Statutory inspection and testing to mandatory schedules, as deemed by statute, on a range of areas which include; Asbestos Management, Electrical Wiring, Gas Appliances and Pipework, Water Hygiene, Air Conditioning Systems, Fire Alarm Installations and Emergency Lighting.

We also identify a programme of Planned Maintenance Works for major refurbishment/replacement works.

Our Reactive Maintenance Works then address minor day to day repairs which fall outside the Cyclical and Planned Maintenance programmes.

This page is left intentionally blank

COUNCIL MEETING

8th December 2014

QUESTIONS FOR ORAL REPLY FROM MEMBERS OF THE COUNCIL

1. From Cllr Michael Rutherford to the Portfolio Holder for Renewal and Recreation

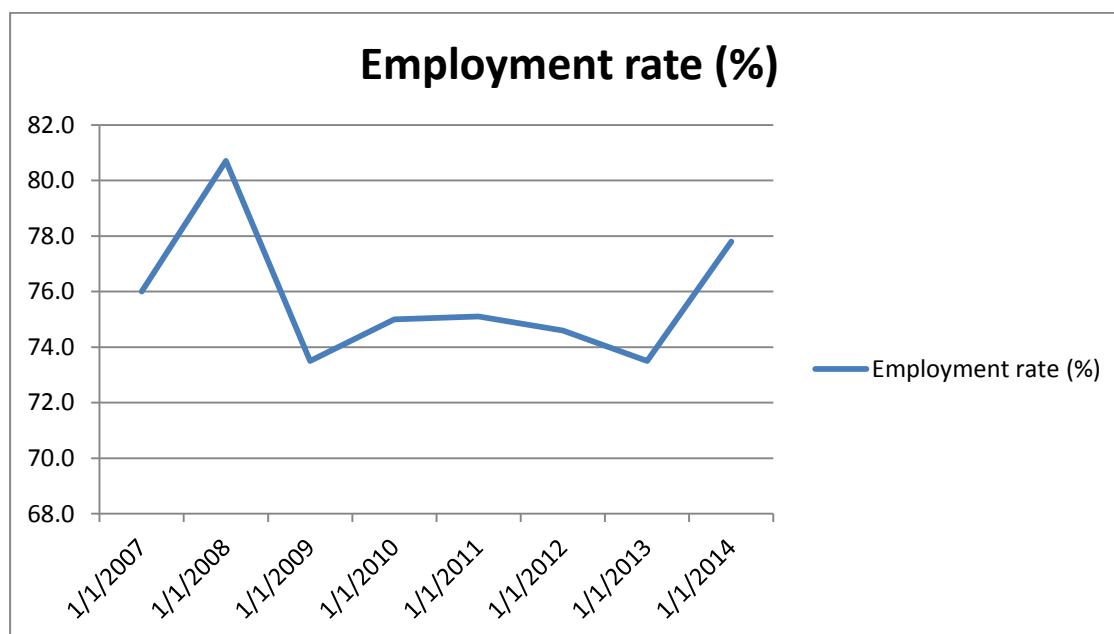
How have levels of employment in Bromley changed over the last three years, and how does that compare to the three years leading to May 2010?

Reply:

In the past three years (2011 – 2014) the employment rate (people in employment as a percentage of the working age population of the borough has fluctuated as follows:

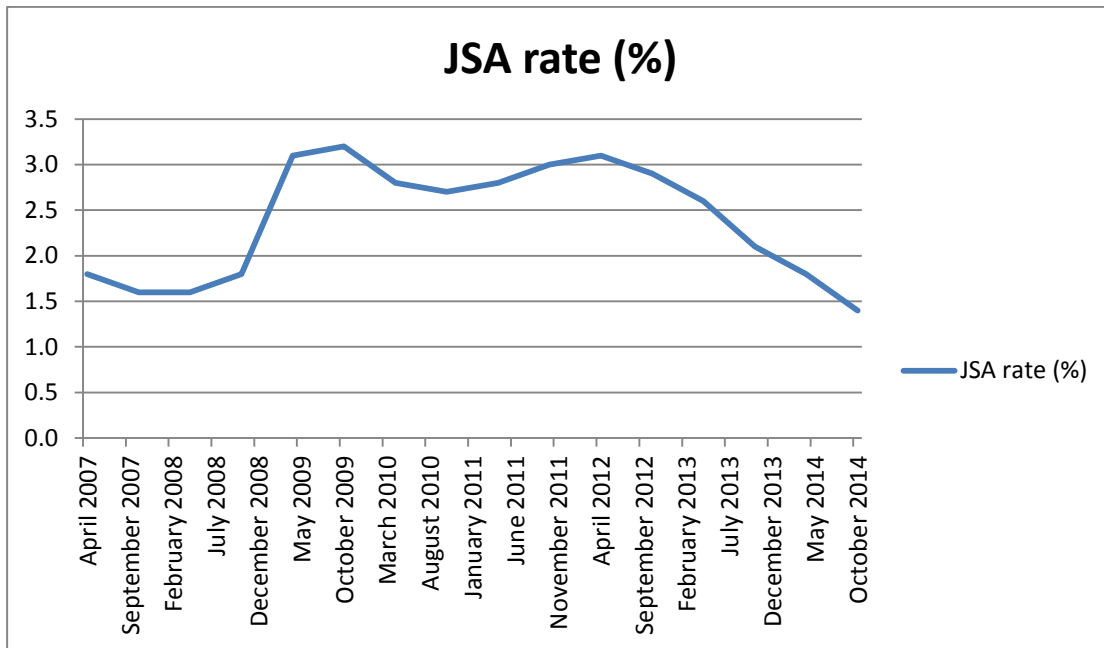
- 75.1% in the year to June 2011
- 74.6% in the year to June 2012
- 73.5% in the year to June 2013
- 77.8% in the year to June 2014 (latest data)

Graph tabled at the meeting -



Looking at the unemployment rate, the number of people on JSA (Job Seekers Allowance), it was 3.1% in April 2012, and it is now (October 2014) 1.4%, so that is really quite good.

Graph tabled at the meeting -



2. From Cllr Kathy Bance MBE to the Portfolio Holder for Care Services

Can the Portfolio Holder confirm that there will be an emergency homeless hostel in Bromley this winter?

Reply:

Yes, I can confirm that the winter shelter opened on Wednesday 3 December and runs for 3 months. Referrals are direct from housing options. It is not just a shelter – it is a variable thing and it goes around the centre of Bromley. Five different churches, to all of which we very grateful, provide the venues.

Supplementary Question:

Are you able to circulate contact details so that we can offer our support, and offer supplies to help them?

Reply:

Councillor Evans agreed to supply details.

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

Will the Portfolio Holder confirm whether the Council will be following previous practice and waiving road closure notice fees for the Big Lunch in June 2015?

Reply:

The Council will be advertising this event early in the New Year in an attempt to stimulate widespread Borough wide interest in it.

The more residents groups and various Associations who express a mutual interest to hold such an event and thereby dilute the cost of processing the necessary legal paperwork, the happier I shall be. The Council does not rule out funding it, but clearly this is a community event and should be paid for by the community.

Supplementary Question:

Does the Portfolio Holder agree that events such as the Big Lunch are a great opportunity to infuse community spirit across the borough and should be generally supported by the Council?

Reply:

In very large parts I would agree, and this Council does have a proud record in supporting community events of all description. The problem moving to the future, unfortunately, is that there is no money to pay for many of the things that we have held dear in the past. Hopefully, we will find a way through for next summer, and I would like to try to offer another date for residents groups as not all groups will find a particular given date suitable. Watch this space, and there will certainly be an announcement very early in the New Year on this.

4. From Cllr Angela Wilkins to the Portfolio Holder for the Environment

When preparing for the privatisation of "Facilities Management", how will the financial value of the current input of volunteers (e.g. Bromley Countryside Volunteers and various Friends groups) into work done in our parks be calculated? What will the Council do to find out the effect of any privatisation of the parks services on the willingness of these volunteers to continue to make their contribution? Does the Portfolio Holder agree with me that there is a danger here of a contract being implemented which could easily overlook the contribution made by these volunteers and that the natural environment of our Borough would suffer as a consequence?

Reply:

The preparation for the potential outsourcing of a "Facilities Management" contract does not include the Parks and Green space portfolio.

Discussions concerning the future of our Parks and Green Spaces Service remain ongoing under separate cover with potentially affected staff being consulted at this time and over coming weeks.

Having worked with a dedicated team of Council officers for the past 8 ½ years moulding the Bromley Friends of Parks movement into the national leading network that it has become today, I would have to say no, the Portfolio Holder does not agree with any downbeat assessment of that possibility that has been raised in the question arising.

Supplementary question:

Given that contractors are inevitably driven by the profit motive, if we were to commission these services, what can the Council do to ensure that we do not have species damaged or inadvertently neglected as a consequence of lack of training or education?

Reply:

The first thing to notice about outsourcing is that it is not a wholly evil thing, not least around the Parks Service which was partially outsourced in the early 1990s. Many of

our contractors were employed at that time and still exist today. The direct answer, important in any industry or walk of life, is that when you do contract out any company does look to make a profit. I do not think that is a wholly evil thing – with profits they re-invest in infrastructure and employ people and I think that is virtuous and for the good of society. The one thing we must do as contractors, and I suspect we would agree on this, is that we must contract manage very carefully to ensure that the service we are paying for is the service that is delivered, and where a contractor falls short we either get financial reparation for that or ultimately we change the contractor.

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

What progress is being made with regard to the application by residents of Long Meadow Close, West Wickham, to purchase land owned by the Council adjacent to their back gardens?

Reply:

The land is owned by the Council, but is part of Langley Park Golf Course and is included in the golf club's lease. Council officers are currently in negotiation with the Club to agree the terms under which they would be prepared to surrender the land from their demise and particularly the split in the sale proceeds. The surrender of any land from their demise will require their lease to be surrendered and re-granted and the last correspondence with the Club was a request for the level of their fees in respect of this transaction.

If terms can be agreed with the golf club planning permission will be required for a change of use to garden land. The land is Metropolitan Open Land and very special circumstances would have to be demonstrated for planning permission to be granted.

6. From Cllr Tony Owen to the Portfolio Holder for Resources

What is the name and address of the resident allowing their name to be used for a phishing expedition of Bromley's accounts by a non-resident of the borough? How much has this cost the local taxpayer? What could this sum have provided by way of local services?

Reply:

A letter of authorisation has been provided by a resident for an individual to be their representative. Whilst I am unable to disclose the name and address, the resident has been confirmed as being a local elector in the Bromley Borough.

The costs, including those of the External Auditor and internal officer time, are currently estimated to be approximately £50k which is the equivalent of 49 additional properties paying Council tax (Band D equivalent.) These costs are likely to increase further as additional matters are required to be considered.

For example, this money equates to 75% of the total annual grant the Council receives from Transport for London for the school crossing patrol service. It would provide around 4,000 carer hours to the borough's most vulnerable, elderly residents or it would pay for over two months of graffiti removal.

We have contacted the Audit Commission to enquire as to whether there are opportunities to reduce external auditor costs through the sharing of advice across authorities dealing with similar matters and we are awaiting their response.

Supplementary Question:

I am rather disappointed that they cannot be named and shamed. Have we actually challenged this resident as to how much this game is costing the local taxpayer, as they may not be aware of the sums given, nor what could be bought for that money in these stringent times.

Reply:

I share Councillor Owen's frustration that yet again we are allowing a sum to be built up not only within this Council but across the Councils of London to answer a question that is common to all, and the validity of which has to be questioned by all. I am not aware of whether the individual concerned has been informed of the amount of money that it is costing the council tax payer, but I will ensure if that has not been done then it will be done.

7. From Cllr Kathy Bance MBE to the Portfolio Holder for Care Services

A Bromley Borough Councillor recently responded to DPAC that Bromley Borough residents are not dependant on food banks but that our residents suffered more from obesity. Now that Oxfam have advised that Bromley residents are the second highest number of users of food banks in the capital does he accept that this is wrong?

Reply:

I hesitate to answer on behalf of another Councillor as I did not make the remarks, but I will do my best to give an official answer. The question asks if Bromley Borough residents are dependent on food banks. There is no doubt that food banks support a number of people who have fallen on hard times, but it would be wrong to generalise to the extent that Bromley residents are dependent on food banks. It would not be wrong to indicate that for a small percentage they form a useful support function and we welcome the building of community resilience in this way.

Supplementary question:

Does the Council accept that the people using foodbanks are mostly those on low pay or zero hours contracts, and also those who have worked all their lives but now find their companies going into administration and being made redundant at, say, age 59.

Reply:

I would just repeat what I said – we consider that food banks provide a useful supplement for those in need.

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

We recently arranged for several senior officers to visit Crystal Palace ward to inspect the generally poor levels of street cleaning and to look at some typical examples of erratic, incomplete or otherwise unacceptable service levels on waste and recycling collection.

There has been some minor improvement in one or two areas, but some specific problems are ongoing, and overall street cleaning we believe is still below an acceptable standard.

Could the portfolio holder please comment on the following possible explanations:

- The contract has been under-priced and the contractor is unable to deliver the service for the agreed price
- The contract has been suitably priced but the Contractor's own management and monitoring functions are inadequate
- The Council has not adequately resourced its contract management and monitoring function

Reply:

There is a 4th explanation, of course. Namely that the quality of street sweeping locally whilst not perfect is acceptable, and that it is possible that the Group opposite are deliberately mis-representing the extent of any problems for possible electoral gain.

I mention this given that the Group opposite has a recurring history in this regard and would refer any interested party to April full Council minutes for further evidence of Bromley's performance around the street scene compared to other local boroughs.

Supplementary question:

There is no electoral advantage to be gained from this for me or my co-Councillor. When we campaigned in the run up to the election this was the major issue across the ward. There are some areas worse than others – nevertheless this was the biggest issue. I would like to thank Councillor Smith for the work he has done with us to date trying to correct this. Councillor Williams and I are willing to do whatever we can to make the situation better, so what can we do?

Reply:

I would urge colleagues, when you find faults in the streetscene, to use the Fix my Street methodology, and I understand that an increasing number of colleagues are. The system is not perfect, and we are piloting it nationally, but it works very well. It does help the Council by colleagues and officers being the “eyes and ears” of the Council to further monitor the contract. There is no question that, as in all contracts in all industry and all walks of life, some of the contractor's staff perform to higher levels than others. The management tool that is provided with this technology enables us to do the work on the streets without employing officers that sadly we cannot afford to be there following up behind every contractor. My door is always open to discuss these things and all constructive criticism from any colleague in this Chamber is welcome because it will lead to enhanced service capability.

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

If he will set out the guidance from CIPFA and the DCLG as to when repairs, renewal or improvements to a highways asset may be treated as a capital item rather than a revenue one?

Reply:

According to the CIPFA guidelines, there are several criteria which distinguish between capital and revenue expenditure. In particular, for improvement and repairs, one of the fundamental criteria is whether the cost adds to future economic benefits or service potential. Day to day servicing costs are not considered as capital, as they maintain the asset's potential to deliver the expected levels over the expected useful life, and do not increase the future economic benefits. Expenditure that extends the useful life or increases the level of performance should be considered as capital.

An example that was illustrated in the "CIPFA Practitioners' Guide to Capital Finance in Local Government" (2012 Ed.) is bridge strengthening. These works should normally be treated as capital as, by definition, they extend the useful life and increase the level of performance of an asset.

10. From Cllr Tony Owen to the Portfolio Holder for Care Services

What analysis is available of the number of heavy consumers of care service resources? How much demand on services is failure demand (failure to do something or do something right for a 'customer')? What % time is spent doing value work (for service users)?

Reply:

The question is from the collected works of John Seddon who is Councillor Owen's favourite author, and so I must respond in management speak which will be long-winded and full of statistics.

A wide range of performance data is available across care services. Adult social care is the area of greatest demand in terms of our resources. Recent analysis over a period of 12 months (Sept 13 – Sept 14) evidenced that this service received just over 50,000 initial contacts. 45,000 of these contacts come directly through Bromley Social Services Direct and of these 86% or just over 39,300 contacts were signposted out of the care system. Just over 6,500 contacts were referred onto care professionals in the Local Authority during the same period. When we look at our statutory reporting for last financial year, just under 6,000 referrals were new and we provided just under 7,000 assessments. The difference are existing service users whose circumstances may have changed and so have needs re-assessed. During last financial year, just over 7,000 residents received adult social care services.

Of those receiving a service last year 3,170 had domiciliary care services and of these, 40% received packages that could be defined as heavy consumers (that is over 10 hours per week. 865 adults and older people received residential and nursing home services and could also be defined as heavy consumers of the care resource.

In children's social care just under 10,000 contacts were received with just over 2,000 referrals accepted by the authority last year. Currently there are 289 children in

local authority care and this could be one definition of high usage by virtue of the resource required to keep children and young people safeguarded in this way.

In Housing, just under 6,000 people approached our services last financial year and 2,007 were diverted by housing advice services. However, as widely reported to members, the pressures on temporary accommodation are significant and one definition of high consumers are the 918 households accommodated in this way.

It does need to be remembered that all services are working to eligibility criteria and only those in the most vulnerable situations are eligible for care services funded by the Local Authority.

When things go wrong, staff are encouraged and supported to do their utmost to resolve it at the point of contact. In fact the statutory social care complaints procedure changed a few years ago to reinforce the importance of dealing with concerns from customers at the earliest opportunity. Although Housing sits outside of this statutory procedure the same approach has been adopted within this authority for dealing with housing complaints. The aim of this approach is to ensure that whenever possible things can be put right quickly without recourse to bureaucratic systems that take time and greater resource.

However, this approach does not replace the formal process in place when a complaint cannot be resolved in this way and requires oversight or investigation by a manager, or ultimately the local government ombudsman. Details of all the complaints we dealt with last year are published and available in the Getting it Right Annual Report available on the website. Briefly, last year 286 formal complaints were received about social care and housing and of those 83 were upheld.

The themes from complaints are routinely considered by the Departmental Management Team and in a very small number of upheld complaints it has been recognised that customer service has been the root of the issue. With the significant and complex demands on our services managers have been reminded that staff must do what they say they will do and within the timescale promised. The department is continuing to keep oversight of this, as although it is not a significant area of concern currently, the department is aware that with the volume and demands on services it is important to continue to be efficient at every point of contact.

With regard to value work with service users, recently it has been estimated that in social care, and in most of the housing teams, case workers spend about 40% of time in direct contact with customers, assessing and reviewing needs. However, a high proportion of the remaining time is also spent directly on casework coordinating care packages with other professionals, arranging services, essential monitoring to address any safeguarding concerns and essential record keeping. Housing Options and Support service are currently spending about 60% of time directly with customers.

It is fair to say when things go wrong and we receive a complex complaint this can take up significant time on an individual case, although this is usually management and support service time rather than case work time.

Supplementary question:

We have been told that the drive is firstly to balance the budget and secondly carry out our statutory duties. Are there any statutory duties that we do that are just feeding the government number factory but providing no benefit to our residents? In this day of cuts, if we can cut stuff that is supposedly statutory but is no use whatsoever then we have a way of cutting without destroying services as much as we might otherwise have to.

Reply:

All I would say is that if returns are requested by government we must complete them, otherwise we do not get the various grants and moneys that we can get from central government.

11. From Cllr Kathy Bance MBE to the Portfolio Holder for Renewal and Recreation

Why is the Borough working against the local community by adding its political weight to opposing applications for Assets of Community Value. This is seen clearly in the way it opposed the application for Assets of Community Value for Snowdon Close.

Reply:

We are not. As evidence for that I can say that four nominations have been received for assets owned by the authority. Two have been listed, one was unsuccessful and one is still pending decision. Nominations for assets owned by the local authority are subject to the same fair and rigorous assessment as those owned privately.

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

What information does he have as to the ownership of the former Health Centre in Hawes Lane, West Wickham, how long the site has been redundant and what plans the owners have to bring the site back into use?

Reply:

A Land Registry search was undertaken in September, at which time the registered proprietor was NHS PROPERTY SERVICES LIMITED.

It is understood that the property has been empty since December 2012 and that it is to be disposed of. Council officers have contacted NHS Property to request an update and a response is awaited.

Supplementary Question:

As far as I am aware, the property has been empty for the entire time that I have been a councillor, since 2006, and in 2006 we were invited as local councillors to look at a scheme for housing on the site which did not progress to a planning application. Does he agree that, when this Council is busy trying to find another £68m in savings, it is a disgrace that another part of the public sector keeps empty for years on end buildings that are paid for by the local public in their taxes and which could be brought back into community use.

Reply:

I share your concern – it is a complete disgrace. As you travel across this borough and you see countless buildings standing empty that can be traced back to being in NHS ownership. It does seem extraordinary that at a time when the NHS is forever

saying how short they are of funds and forever holding out their hand for extra that they do not do better with what they already have. Their assets are under-used, under-utilised and do stand empty, and it is quite wrong. Recently, we have been in negotiation with the NHS about the development of a Health and Wellbeing Centre in Orpington, and what we found was that it was like walking through treacle – you could not find your way to the centre of the maze to find out who you were supposed to be talking to in terms of their property arm, and all their operational people find it as frustrating as we do, if not more.

URGENT QUESTION

From Councillor Tony Owen to the Portfolio Holder for Public Protection and Safety

Following the court ruling in Canterbury last Tuesday giving councils the power to confiscate substances giving so called "legal highs", will the London Borough of Bromley be taking similar action under their trading standards powers to protect the public from harm?

Reply:

As a result of this recent judicial finding, I have tasked Trading Standards here in Bromley to prepare a strategy to tackle the outlets located in the Borough, outlining the risks and potential costs. I will bring this report to the General Purposes and Licensing Committee in due course.

We have been monitoring the outcome of action taken in recent months by Kent County Council, in particular the ruling made on a sample of so called "legal highs" seized from a number of local head shops, which Kent Magistrates have now deemed unsafe. Officers from Bromley have met with Bromley Police recently to prepare the groundwork for enforcement by way of a warning letter to retailers setting out our concerns, as well as asking local police to capture evidence that these products are being ingested or otherwise consumed by customers. This is important to establish for enforcement action taken, both under Trading Standards legislation and the Anti-social Behaviour, Crime and Policing Act 2014.

There may also be scope to make use of the Community Protection Notices under the Anti-social Behaviour, Crime and Policing Act 2014 which provide provisions to stop individuals, businesses or organisations committing ASB which spoils the community's quality of life.

This enforcement tool would effectively allow the local authority or police to serve a notice on a business whose conduct was having a detrimental effect on the quality of life of the community – the key evidence here would be proving the business is selling legal highs to local people which was causing them to commit Anti-social behaviour.

However, I will continue to support pressure on Government for a blanket ban on new psychoactive substances.

This remains one of the most challenging areas of trading standards remit, especially as the legislation available is so inadequate. This recent action by Kent is not a test case. The decision by Magistrates is not binding. We would need to consider the financial risk were we to seek a prosecution or injunctive action. It is therefore

important that we take a staged approach with an appropriate regard to the risk, both financial and reputational.

The Kent action follows similar action taken by Belfast last year and relies on warnings being issued to retailers setting out concerns that products being purchased at the shops are being consumed, despite the warnings "NOT FOR HUMAN CONSUMPTION". The use of this warning could potentially make a prosecution under existing legislation very difficult.

The burden of proof is on the local authority to prove the product is dangerous, which remains a challenge when so little is known about many of the substances being sold.

This page is left intentionally blank

COUNCIL MEETING

8th December 2014

QUESTIONS FOR WRITTEN REPLY FROM MEMBERS OF THE COUNCIL

1. From Cllr Russell Mellor to the Chairman of the Pensions Investment Sub-Committee

HM Government undertook to grant Scotland powers to determine their own taxation levels during the devolution referendum. In view of the fact that two of our Pension Fund Managers are located in Scotland, can you advise me of any adverse effects our funds would suffer as a result of the change in the tax regime, particularly cross border investments.

Reply:

The Director of Finance has received advice from the two Fund managers currently located in Scotland and from the Fund's independent adviser and all three parties share the view that, in a unified UK, there are no issues that would arise from employing a manager based in Scotland. They feel it is very unlikely that new taxation powers would be introduced that would directly affect our portfolio, such as a Scottish stamp duty or transaction tax – this would be infeasible practically and does not appear to be on the agenda of any influential party or body. VAT is a European tax and it is not possible to vary its level within the UK.

With regard to cross-border investments, there could be a tax risk if Scotland became independent, but this would apply more to Scottish company pension funds rather than English, as investments would be listed as overseas. The view is that the Scottish government's ability to change the tax regime would be limited to income tax and, whatever happens in this context, our managers say they will continue to have an absolute commitment to hiring and retaining the best staff and will continue to put clients' interests first.

2. From Cllr Russell Mellor to the Portfolio Holder for the Environment.

Can the Portfolio holder advise me as to the number of claims entered against the Council for injuries sustained by Residents due to accidents caused by damaged pavements?

In addition, can the Portfolio holder advise me of the number of claims, which have been settled together with the total amount of costs paid?

Reply:

Financial Year	Total no of footway claims	Total no of claims paid	Total value of payments made
			£
2010/11	82	14	263,413
2011/12	98	9	109,735
2012/13	79	13	74,899
2013/14	75	6	25,246
2014/15 (to date)	49	0	0

3. From Cllr Simon Fawthrop to the Portfolio Holder for Education

In each of the last 4 years how many (in numbers) of Bromley's looked after Children were entered into entrance exams for selective schools?

- a) 2010
- b) 2011
- c) 2012
- d) 2013

Reply:

None, however, one young person sat the 11+ in Kent and the entrance exam to St Olave's in autumn 2014.

Cohorts of Looked After Children at Key Stage 2 are very small, with disproportionately high incidence of SEN, at School Action, School Action Plus and with Statements. Early neglect and poor school attendance before becoming LAC frequently mean that these children have emotional and behavioural difficulties that are barriers to learning as well as having learning difficulties that may have gone undiagnosed for some time.

Children who are accommodated by the local authority in Early Years or KS1 frequently make more than expected progress between key stage one and key stage 2. Those who become LAC later in key stage 2 are less likely to make good progress and often have more difficulties in the classroom, though there are always some who have done and continue to do well.

The Virtual School supports foster carers and social workers to identify the best possible school at secondary transfer. No child is placed in a school that is not Ofsted rated good or better. If a looked after child has potential to do well at a grammar school, additional support is provided for tuition at home and the carers are required to visit schools and enter the child for entry examinations. The Virtual School is developing a programme in partnership with St Olave's Grammar School for Boys, which will identify pupils in years 4 and 5 who have potential to achieve at least a good level 4 at age 11, and invite them to visit the school with their carers. These pupils will then be given additional support to prepare for entry examinations and secondary transfer.

The table below shows the numbers and percentages of children achieving National expectation (level 4) and the incidence of Special Educational Need at the end of Key Stage 2.

Year	Reading	Writing	Maths	SEN
2014	55% (6 of 11 pupils)	55% (6 of 11 pupils)	55% (6 of 11 pupils)	5 pupils (64%) with identified SEN (Statements 2)
2013	76% (6 of 9 pupils)	44% (4 of 9 pupils)	76% (6 of 9 pupils)	6 pupils (76%) with identified SEN (Statements 5)
2012	57% (4 of 7 pupils)	57% (4 of 7 pupils)	42% (3 of 7 pupils)	6 pupils (86%) With identified SEN (Statements 5)
2011	50% (5 of 10 pupils)		40% (4 of 10 pupil)	8 pupils (80%) with identified SEN (Statements 6)
2010	English 100% (5 of 5 pupils)		80% (4 of 5 pupils)	2 pupils with identified SEN (Statements 2)

4. From Cllr Simon Fawthrop to the Portfolio Holder for Education

In each of the last 4 years how many looked after children (in numbers) were successful in gaining a place at a Russell Group University?

- a) 2010
- b) 2011
- c) 2012
- d) 2013

Reply:

We have 16 care leavers on undergraduate courses at university this year and one post graduate (PGCE). Many of our young people enter university later than their peers, having settled in education after periods of disruption. The average starting age is 22 and a proportion of the young people do not get awarded university places through the usual, A level, route, but through vocational qualifications at level 3 (BTec/NVQ). At this stage, most Care Leavers will have bid for a flat and will have created homes for themselves. Some have young families.

Of the current group of sixteen young people, 10 are in their own accommodation, which they would be required to forfeit if they went to a university further from home and were required to pay for halls of residence. For these young people, going to university away from home and giving up their flats also means that they have limited choices for the holidays. The remaining young people are living in, or returning home to, long term foster placements or to extended family members in holidays.

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

Will the Portfolio Holder provide a schedule of street cleaning for Clock House Ward?

Reply:
Officers from the Street Scene Division will make this information available in a suitable format.

6. From Cllr Kathy Bance MBE to the Portfolio Holder for the Environment

Please advise the annual revenue and cost of operation for each of the Borough’s car parks in the Penge and Cator ward. Which of those are full to capacity on a regular basis?

Reply:

Total Income:

Location	Total Income £	Total Costs £	Net Income £
Penge East	16,758.23	10,035.65	6,722.58
Lennard Road	21,202.17	8,055.65	13,146.52

Penge East is usually about 70 per cent full during the week, low usage on Saturdays but is at full capacity when there are major events in London eg the Lord Mayors Show. Lennard Road is at full capacity on weekdays but has little use at weekends.

7. From Cllr Kathy Bance MBE to the Portfolio Holder for Education

With the forecast cut to education and youth budget from city hall of up to 90% will Bromley Council be in a position to support our current youth services and continue to support any maintained schools we may still have responsibility for?

Reply:

The education budget (dedicated schools grant, DSG) is a separate funding stream from the broader budget that maintains all other Council services (revenue support grant, RSG). The Council's school improvement policy is focussed on ensuring that schools in an Ofsted category, or judged as 'Requiring Improvement', receive direct support from staff within the school improvement team. Where a school is judged as being 'Good' or 'Outstanding' but our intelligence tells us that intervention is necessary, such a school would also receive appropriate support from the team. It is not anticipated that this offer will diminish until such time as all schools are academies.

The youth services budget is funded via RSG and, along with all Council services, is currently undergoing a degree of scrutiny given the need to make significant savings. However, no decisions have as yet been made as to how the service may be cut or delivered differently.

8. From Cllr Kathy Bance MBE to the Portfolio Holder for Renewal and Recreation

There is a GLA survey ongoing called "Join the Dots". What has been the Borough's involvement in this and what impact might its final report and recommendations have on plans for the communities of Penge, Anerley and Crystal Palace? Has there been any financial cost to the Borough?

Reply:

Architects 00 were appointed by the Greater London Authority (GLA) to provide a regeneration overview to support the designation of Crystal Place as a Strategic Outer London Development Centre in the revised London Plan. The project has been financed and managed by GLA officers. This Council along with the four other Councils that border Crystal Place Park were consulted on the brief for the work and officers have provided background information into the study. Outside of this limited officer time there has been no financial cost of this study to the Council. The Council has yet to receive a copy of the completed study and therefore is not in position to comment on the recommendations and potential implications for the Borough.

9. From Cllr Kevin Brooks to the Portfolio Holder for the Environment

Will the Portfolio Holder provide a schedule of street cleaning for Penge & Cator Ward?

Reply:

Officers from the Street Scene Division will make this information available in a suitable format.

10. From Cllr Kevin Brooks to the Portfolio Holder for Resources

To what extent will the Council consider and evaluate the environmental performance of those contractors who may enter future tendering processes? What progress has been made and is expected in relation to compliance with ISO 14001?

Reply:

The Council considers, as appropriate, environmental performance matters at various stages of the tender process.

The Council's Contract Procedure Rules identify, at CPR1 a basic principle that to **"Enable a Value for Money, Procurement decisions...** (contracting arrangements should be)... **based on Whole Life Costing and the consideration of Sustainable Procurement Practice"**.

Whole Life Costing and Sustainable Procurement Practice are defined terms within the Procedures and in this context mean, for Whole Life Costing - **"..The consideration of all costs incurred during the life cycle of the work, goods, service or utility purchased including those identified by adopting good Sustainable Procurement Practice..."**. Sustainable Procurement is defined as **"...a process whereby the organisations meets its needs for goods, services works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only for the organisation but also society and the economy while minimising damage to the environment"**.

Formal consideration is given to this factor as part of any "Gate Reporting" process, as identified in the extract from the Procurement Practice Note below (1); as Part of the Pre-Qualification Process (when used) – a typical example is included below at (2); and at Tender Evaluation (see Tender Evaluation Matrix detailed below at (3)

These are in addition to any Standards which may be specifically included within the Contract Specification where relevant and appropriate.

Examples attached (Appendix 1).

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

Will the Portfolio Holder provide a breakdown of current Council Tax Support claimants, broken down by working age / pensioner, Council Tax band and whether they are liable for the full charge or eligible for 25% discount?

Reply:

Please find tabled below the information requested in the above question:

Pensionable Age claims

Count of claim_id	Column Labels							Grand Total
Row Labels	A	B	C	D	E	F	G	Grand Total
25% disregard discount	1	2	14	16	4	2		39
25% SPD	318	1084	1812	1274	353	94	41	4976
50% disregards				1	1			2
Full charge	40	170	651	919	401	137	53	2371
Grand Total	359	1256	2477	2210	759	233	94	7388

Working Age claims

Count of claim_id	Column Labels								Grand Total
Row Labels	A	B	C	D	E	F	G	H	Grand Total
25% disregard discount	4	19	90	111	38	9	1		272
25% SPD	278	1819	3150	1569	348	88	25	1	7278
50% disregards						1			1
Full charge	76	319	1308	1327	409	102	50		3591
Grand Total	358	2157	4548	3007	795	200	76	1	11142

Pensionable Age claims

Count of claim_id	Column Labels							Grand Total
Row Labels	A	B	C	D	E	F	G	Grand Total
25% disregard discount	1	2	14	16	4	2		39
25% SPD	318	1084	1812	1274	353	94	41	4976
50% disregards				1	1			2
Full charge	40	170	651	919	401	137	53	2371
Grand Total	359	1256	2477	2210	759	233	94	7388

Working Age claims

Count of claim_id	Column Labels								Grand Total
Row Labels	A	B	C	D	E	F	G	H	Grand Total
25% disregard discount	4	19	90	111	38	9	1		272
25% SPD	278	1819	3150	1569	348	88	25	1	7278
50% disregards						1			1
Full charge	76	319	1308	1327	409	102	50		3591
Grand Total	358	2157	4548	3007	795	200	76	1	11142

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

Will the Portfolio holder provide statistics on how much housing benefit was paid during 2013/14 to each Housing Association and to private landlords? How many individual cases do each of these represent?

Reply:

In 2013/14 £73,684,292 was paid to 53 different housing associations. This represented 14,303 different claims.

The attached list shows the amounts paid to the each housing association.

In 2013/14 £11,540,268 was paid to 1293 different private landlords. This represented 1978 individual claims.

Name	amount_paid	no_of_claims
AFFINITY SUTTON HOMES LTD	£44,931,636.00	8919
A2 DOMINION GROUP	£4,195,817.34	781
HYDE HOUSING ASSOCIATION GROUP	£3,633,898.76	706

AMICUS HORIZON HOUSING GROUP	£3,555,863.33	656
RIVERSIDE HOUSING ASSOCIATION	£2,176,674.88	460
LONDON & QUADRANT HOUSING TRUST	£2,407,756.35	427
VIRIDIAN HOUSING	£2,086,225.50	339
KENISTON HOUSING ASSOCH. LTD	£978,706.01	209
TOWN & COUNTRY HOUSING GROUP	£1,287,620.13	195
MOAT HOMES LTD	£978,649.02	187
SANCTUARY HOUSING ASSOCIATION	£1,100,211.15	185
PENGE CHURCH HOUSING ASSOCH.	£740,120.32	165
HANOVER HOUSING ASSOCIATION	£1,110,004.53	131
RADCLIFFE HOUSING SOCIETY LTD.	£508,422.57	104
BROMLEY WOMENS AID (BR)	£350,173.18	96
HELIX HOUSING ASSOCIATION LTD	£441,210.48	92
RAGLAN HOUSING ASSOCIATION LTD	£467,986.52	78
FAMILY MOSAIC	£337,565.12	70
COMMUNITY OPTIONS LIMITED	£312,334.92	63
CHISLEHURST & SIDCUP HSG ASSOC	£309,777.84	57
WANDLE HOUSING ASSOCIATION	£200,194.42	46
GORDON MOODY ASSOCIATION	£78,672.57	39
ONE HOUSING GROUP	£94,531.77	34
ANCHOR TRUST	£115,142.22	24
CEDARMORE HOUSING ASSOC	£141,749.57	24
BEAVER HOUSING ASSOCIATION	£107,677.63	22
PHOENIX COMMUNITY HA LTD	£98,304.65	21
NOTTING HILL HOUSING TRUST	£77,286.49	17
SOUTHERN HOUSING GROUP	£66,059.16	17
STONHAM HOUSING ASSOCIATION	£70,505.21	17
LOOK AHEAD HOUSING ASSOCIATION	£78,348.64	16
EKAYA HOUSING ASSOCIATION	£71,031.50	12
HOMEGROUP - WARDEN HA	£50,956.50	11
GOLDEN LANE HOUSING LTD	£85,122.74	10
RESIDE HOUSING ASSOCIATION	£129,193.70	10
METROPOLITAN HOUSING PARTNERSHIP	£41,937.63	9
GUINNESS TRUST	£41,397.42	8
HOUSING CARE ASSOCIATION LTD	£18,892.69	7
CRYSTAL PALACE HOUSING ASSOC	£15,721.67	5
Hexagon Housing Association Ltd	£24,375.46	4
BIRNBECK HOUSING ASSOCIATION	£54,920.55	4
ADVANCE HOUSING & SUPPORT LTD	£26,568.06	4
ENGLISH CHURCHES HOUSING GROUP	£6,641.11	3
BOURNE HOUSING	£10,990.22	3
CROWN HOUSING ASSOCIATION	£7,165.12	2
WESTMINSTER HOUSING	£1,348.55	2

COOPERATIVE		
GLEBE HOUSING ASSOCIATION	£9,562.30	2
ORBIT HOUSING ASSOCIATION	£3,762.23	2
SLFHA LTD	£8,820.51	2
HABINTEG HOUSING ASSOCIATION LTD	£12,017.39	2
METROPOLITAN HOUSING TRUST	£9,600.36	2
HORIZON HOUSING GROUP	£5,034.14	1
WESTGATE (2) HOUSING ASSOCIATION	£10,106.20	1
Total	£73,684,292.33	14303

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

The November meeting of E&R PDS had been scheduled for several weeks previously to receive a report on the future of Anerley Town Hall.

The report was not published until a matter of hours before the meeting at which it was to be discussed. The report incorrectly stated that local members had been consulted.

I am grateful to Cllr Carr for his intervention which postponed this extremely important discussion and decision about the future of the building and the community and business activities it facilitates.

However, what action can be taken to ensure that in future, reports and other documents are made available to members in good time and that local members are in fact consulted where appropriate?

Reply:

Thank you for your question regarding the recently deferred report on Anerley Town Hall. It is of course regrettable that this report was circulated late for Members' consideration. The Chief Executive/Directors seek to ensure that late reports are kept to an absolute minimum and are only considered when there is a compelling justification. In this case officers were aware that Community groups in Anerley were very keen to have the position of the Town Hall clarified as soon as possible. For this reason Mr. Hume had urged his officers to do all they could to get the report to the Executive meeting in December. Unfortunately the report took longer to prepare than originally anticipated and this was the reason for the late notice.

As you know, and as requested, this report will be considered at the R&R PDS Committee in January, prior to consideration at the E&R PDS Committee and Executive. In so doing both community impacts and Property matters can be fully considered.

14. From Cllr Angela Wilkins to the Portfolio Holder for Resources

In relation to Anerley Town Hall, could you please provide details of both those works identified and those works carried out since 2005 in terms of the planned programme, reactive maintenance and cyclical maintenance programmes?

Reply:

Since 2005 £996,106 has been spent on Cyclical, Reactive and Planned Maintenance at Anerley Town Hall.

Future Works have been identified at a cost of £ 1.273 m, which are detailed in the Executive Report DRR14/094 on the future of the site, withdrawn from November Executive meeting.

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

Will the Portfolio Holder provide a schedule of street cleaning for Crystal Palace Ward?

Reply:

Officers from the Street Scene Division will make this information available in a suitable format.

16. From Cllr Peter Fookes to the Portfolio Holder for the Environment

Will he give priority to clearing leaves in and around primary schools, ie, the state of Malcolm Rd in Penge on Saturday 29th November?

Reply:

I am afraid not.

All roads across the Borough are dealt with strictly on a 'most need' basis at this time of year, over which period the regular sweeping patterns can become disrupted.

You have however given me a splendid idea in terms of a junior citizenship project which I will discuss over coming weeks with senior officers in Education and Road Safety.

17. From Cllr Peter Fookes to the Portfolio Holder for the Environment

When will all the bins at 120 Oakfield Rd, Penge be emptied as one has not been emptied for nearly a year?

Reply:

Waste collection at this location has proved difficult for some time due to the unsanitary manner in which it was being presented for collection by the relevant homeowner(s).

Those living at the address have today been written to, explaining what needs to be done to bring themselves into compliance with the relevant requirements.

18. From Cllr Peter Fookes to the Portfolio Holder for the Environment

When will the trees adjacent to Homebase in Oakfield Rd be pruned?

Reply:

The trees were inspected in July 2014 and found not to present a nuisance.

A further examination will be undertaken in due course and should the trees present hazards or other H&S defects, they will be placed in our contractors work programme at that time.

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

If he will provide the following information in table format for each London Borough and for Sevenoaks, and Tatsfield District Councils and Dartford Borough Council for latest period for which statistics are available;

- i. number of planning committees in each authority;
- ii. whether the committees meet in the evening or daytime;
- iii. the number of applications received annually;
- iv. percentage of applications dealt with by committee;
- v. the percentage of the authority area in the Green Belt?

Reply:

- (i) Number of planning committees in each authority &**
- (ii) Whether the committees meet in the evening or daytime**

[source: each Local Planning Authority]

<u>No of planning Committees</u>		
Barking and Dagenham	12 a year	Evening-
Barnet	12 a year	Evening
Bexley	12 a year	Evening
Brent	12 a year	Evening
Bromley	26* a year	Evening
Camden	12 a year	Evening
Croydon	17 a year	Evening
Ealing	12 a year	Evening
Enfield	12 a year	Evening
Greenwich	12 a year	Evening
Hackney	12 a year	Evening-
Hammersmith & Fulham	12 a year	Evening
Haringey	12 a year	Evening
Harrow	12 a year	Evening

Havering	12 a year	Evening
Hillingdon	12 a year	Evening
Hounslow	12 a year	Evening
Islington	12 a year	Evening
Kensington and Chelsea	12 a year	Evening
Kingston upon Thames	12 a year	Evening-
Lambeth	12 a year	Evening
Lewisham	12 a year	Evening-
Merton	12 a year	Evening
Newham	12 a year	Evening-
Redbridge	12 a year	Evening-
Richmond upon Thames	12 a year	Evening
Southwark	12 a year	Evening
Sutton	12 a year	Evening-
Tower Hamlets	12 a year	Evening
Waltham Forest	12 a year	Evening
Wandsworth	12 a year	Evening
Westminster	12 a year	Evening-

Sevenoaks	12 a year	Evening-
Tandridge	12 a year	Evening-
Dartford	12 a year	Evening

*excludes DCC (of which there are 5 a year). Not all Councils have directly comparable arrangements


(iii) The number of applications received annually in January to March 2014

[source: DCLG website <https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics>]

Applications received

England, January to March 2014

Barking and Dagenham	151
Barnet	1,147
Bexley	425
Brent	814
Bromley	871

Camden	1,070
Croydon	646
Ealing	830
Enfield	612
Greenwich	470
Hackney	604
Hammersmith and Fulham	774
Haringey	540
Harrow	589
Havering	499
Hillingdon	736
Hounslow	654
Islington	638
Kensington and Chelsea	1,297
Kingston upon Thames	482
Lambeth	861
Lewisham	616
Merton	478
Newham	369
Redbridge	661
Richmond upon Thames	1,186
Southwark	601
Sutton	344
Tower Hamlets	453
Waltham Forest	507
Wandsworth	1,180
Westminster	2,061
	
Sevenoaks	583
Tandridge	359
Dartford	146

(iv) Percentage of applications dealt with by committee

**% of applications dealt with by
Committee**

England, January to March 2014

Barking and Dagenham	2
Barnet	4
Bexley	4
Brent	2
Bromley	15
Camden	3
Croydon	3
Ealing	4
Enfield	4
Greenwich	6
Hackney	6
Hammersmith and Fulham	3
Haringey	2
Harrow	3
Havering	11
Hillingdon	11
Hounslow	3
Islington	5
Kensington and Chelsea	11
Kingston upon Thames	8
Lambeth	5
Lewisham	4
Merton	11
Newham	5
Redbridge	11
Richmond upon Thames	3
Southwark	5
Sutton	7
Tower Hamlets	87
Waltham Forest	5

Wandsworth	12
Westminster	6
[REDACTED]	
Sevenoaks	3
Tandridge	3
Dartford	11

(v) The percentage of the authority area in the Green Belt
[source: Bromley Planning Policy Department]

% of authority area in the Green Belt

Barking and Dagenham	14.67%
Barnet	27.43%
Bexley	18.46%
Brent	Information unavailable
Bromley	51.48%
Camden	Information unavailable
Croydon	26.71%
Ealing	5.94%
Enfield	37.62%
Greenwich	Minimal
Hackney	Information unavailable
Hammersmith & Fulham	Information unavailable
Haringey	2.03%
Harrow	21.59%
Havering	53.49%
Hillingdon	42.95%
Hounslow	21.79%
Islington	Information unavailable
Kensington and Chelsea	Information unavailable
Kingston upon Thames	17.18%
Lambeth	Information unavailable
Lewisham	Information unavailable
Merton	Information unavailable
Newham	2.21%

Redbridge	36.50%
Richmond upon Thames	2.44%
Southwark	Information unavailable
Sutton	14.14%
Tower Hamlets	Information unavailable
Waltham Forest	21.63%
Wandsworth	Information unavailable
Westminster	Information unavailable

Sevenoaks	Information unavailable
Tandridge	Information unavailable
Dartford	Information unavailable

Reply:

- (i) number of planning committees in each authority &**
(ii) whether the committees meet in the evening or daytime

[source: each Local Planning Authority]

No of planning Committees

Barking and Dagenham	12 a year	Evening-
Barnet	12 a year	Evening
Bexley	12 a year	Evening
Brent	12 a year	Evening
Bromley	26* a year	Evening
Camden	12 a year	Evening
Croydon	17 a year	Evening
Ealing	12 a year	Evening
Enfield	12 a year	Evening
Greenwich	12 a year	Evening
Hackney	12 a year	Evening-
Hammersmith & Fulham	12 a year	Evening
Haringey	12 a year	Evening
Harrow	12 a year	Evening
Havering	12 a year	Evening
Hillingdon	12 a year	Evening
Hounslow	12 a year	Evening

Islington	12 a year	Evening
Kensington and Chelsea	12 a year	Evening
Kingston upon Thames	12 a year	Evening-
Lambeth	12 a year	Evening
Lewisham	12 a year	Evening-
Merton	12 a year	Evening
Newham	12 a year	Evening-
Redbridge	12 a year	Evening-
Richmond upon Thames	12 a year	Evening
Southwark	12 a year	Evening
Sutton	12 a year	Evening-
Tower Hamlets	12 a year	Evening
Waltham Forest	12 a year	Evening
Wandsworth	12 a year	Evening
Westminster	12 a year	Evening-

Sevenoaks	12 a year	Evening-
Tandridge	12 a year	Evening-
Dartford	12 a year	Evening

*excludes DCC (of which there are 5 a year). Not all Councils have directly comparable arrangements

(iii) the number of applications received annually in January to March 2014

[source: DCLG website <https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics>]

Applications received

England, January to March 2014

Barking and Dagenham	151
Barnet	1,147
Bexley	425
Brent	814
Bromley	871
Camden	1,070
Croydon	646
Ealing	830

Enfield	612
Greenwich	470
Hackney	604
Hammersmith and Fulham	774
Haringey	540
Harrow	589
Havering	499
Hillingdon	736
Hounslow	654
Islington	638
Kensington and Chelsea	1,297
Kingston upon Thames	482
Lambeth	861
Lewisham	616
Merton	478
Newham	369
Redbridge	661
Richmond upon Thames	1,186
Southwark	601
Sutton	344
Tower Hamlets	453
Waltham Forest	507
Wandsworth	1,180
Westminster	2,061



Sevenoaks	583
Tandridge	359
Dartford	146

(iv) percentage of applications dealt with by committee

<u>% of applications dealt with by Committee</u>	
England, January to March 2014	
Barking and Dagenham	2

Barnet	4
Bexley	4
Brent	2
Bromley	15
Camden	3
Croydon	3
Ealing	4
Enfield	4
Greenwich	6
Hackney	6
Hammersmith and Fulham	3
Haringey	2
Harrow	3
Havering	11
Hillingdon	11
Hounslow	3
Islington	5
Kensington and Chelsea	11
Kingston upon Thames	8
Lambeth	5
Lewisham	4
Merton	11
Newham	5
Redbridge	11
Richmond upon Thames	3
Southwark	5
Sutton	7
Tower Hamlets	87
Waltham Forest	5
Wandsworth	12
Westminster	6
	
Sevenoaks	3
Tandridge	3

(v) the percentage of the authority area in the Green Belt

[source: Bromley Planning Policy Department]

<u>% of authority area in the Green Belt</u>	
Barking and Dagenham	14.67%
Barnet	27.43%
Bexley	18.46%
Brent	Information unavailable
Bromley	51.48%
Camden	Information unavailable
Croydon	26.71%
Ealing	5.94%
Enfield	37.62%
Greenwich	Minimal
Hackney	Information unavailable
Hammersmith & Fulham	Information unavailable
Haringey	2.03%
Harrow	21.59%
Havering	53.49%
Hillingdon	42.95%
Hounslow	21.79%
Islington	Information unavailable
Kensington and Chelsea	Information unavailable
Kingston upon Thames	17.18%
Lambeth	Information unavailable
Lewisham	Information unavailable
Merton	Information unavailable
Newham	2.21%
Redbridge	36.50%
Richmond upon Thames	2.44%
Southwark	Information unavailable
Sutton	14.14%
Tower Hamlets	Information unavailable

Waltham Forest	21.63%
Wandsworth	Information unavailable
Westminster	Information unavailable
Sevenoaks	Information unavailable
Tandridge	Information unavailable
Dartford	Information unavailable

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

If he will list the number of 'call ins' by ward for each of the past three years (including the current year), and the number called in and refused and the number subsequently allowed on appeal?

Reply:

Ward	Total calling to committee that have been decided	Number refused	Number allowed on appeal as of 05/12/2014
Bickley			
2012	6	3	
2013	7	2	
2014	3	2	
Biggin Hill			
2012	2	1	1
2013	1		
2014	1		
Bromley Common And Keston			
2012	7	3	1
2013	5	1	
2014	5	1	
Bromley Town			
2012	1	1	
Chelsfield And Pratts Bottom			
2013	3	1	1
2014	2	1	
Clock House			
2012	1	1	
2013	2	2	

Copers Cope			
2012	6	3	
2013	6	1	
2014	4	2	
Cray Valley East			
2014	2	2	1
Darwin			
2013	2	2	
2014	4	2	
Farnborough And Crofton			
2012	4	1	
2013	1	1	1
2014	1	1	
Hayes And Coney Hall			
2013	1	1	
Kelsey And Eden Park			
2012	3	1	1
2014	3	2	
Mottingham &Chislehurst North			
2012	1	0	
Orpington			
2012	2	1	
2013	1		
2014	4	2	
Penge And Cator			
2012	4	1	
Petts Wood And Knoll			
2012	3		
2013	10	6	3
2014	5	5	2
Plaistow And Sundridge			
2013	2	1	
2014	1		
Shortlands			
2012	1		
2013	2	2	
West Wickham			
2012	1		
2013	1	1	
2014	2	1	

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

If he will give for the past three years (including the current year) the number and percentage of applications refused by -

(a) delegated authority

(b) by committee

and the number and percentage in each category which were subsequently allowed on appeal?

Reply:

Committee:

Year	Refused (% of total refusals)	Allowed at Appeal (% of total refused at committee)
2012	107 (12%)	30 (8%)
2013	120 (15%)	39 (33%)
2014 (to date)	117 (14%)	21 (18%)

Delegated authority:

	Refused (% of total refusals)	Allowed at Appeal (% of total refused under delegated authority)
2012	755 (88%)	61 (8%)
2013	702 (85%)	69 (10%)
2014 (to date)	740 (86%)	36 (5%)

22. From Cllr Tony Owen to the Chairman of Development Control Committee

Please give a timeline listing all communication (emails, letters and phone calls) relating to the following planning applications from initial application through to appeal decisions.

(a) 18 Oatfield Road, Orpington

(b) 2 Queensway, Petts Wood

Reply:

The timelines don't include any phone calls, which are not routinely logged.

(a) 14/01600/FULL6 - 18 Oatfield Road

29/4/14 – Application received by the Portal

9/5/14 – Invalidity letter sent to agent

15/5/14 – Application validated
 19/5/14 – Neighbour consultation letter sent
 19/5/14 – Acknowledgement letter sent to agent
 4/6/14 – Objection letter received from No.9 Vinson Close
 5/6/14 – On-line comments received from No.11 Vinson Close
 16/7/14 – Committee report
 31/7/14 – Application refused at Plans Sub-Committee and enforcement action authorised
 5/8/14 – Decision notice issued
 12/9/14 – Notification of appeal from Planning Inspectorate (PI)
 12/9/14 – Details of appeal forwarded by email to Cllrs Auld, Fawthrop and Owen
 12/9/14 – Email from Cllr Owen requesting a hearing
 16/9/14 – Email from Appeals team to PI requesting a hearing
 24/9/14 – Email from PI to appellant stating that hearing is requested by the Council, and the views of the appellant are requested by 1st October. States that final decision on the procedure will be made by PI
 14/10/14 – Unaccompanied site visit undertaken under the householder fast track procedure
 22/10/14 – Appeal decision issued – Appeal allowed
 27/10/14 – Email from Appeal section of Council to PI stating that the Council had not been informed that their request for a hearing had not been granted
 3/11/14 – Response from PI stating they are looking into the matter
 24/11/14 – Letter from PI stating that the decision had been made after the deadline for the appellant/agent to comment had passed that a hearing was not appropriate as it was considered that the matters at issue could be clearly understood from an examination of the appeal documents and a site inspection. They noted that enforcement action was pending, but considered that following the Inspector's decision on the appeal, it would be open to the Council to consider enforcement action at that time. The PI did, however, apologise for not informing either of the main parties of the PI's decision that a hearing was not appropriate.

(b) 13/01014/FULL1 - 2 Queensway:

5/12/11 – Original application, 11/03638/FULL1 for 2 detached houses received
 24/2/12 – 2011 application made valid
 3/4/12 – 2011 application refused under delegated authority
 5/4/12 – Decision Notice Issued
 17/4/13 – Post application letter received from the Agent regarding reason for refusal. No response provided as the protocol is to use the Council's Pre-application service.
 24/7/12 – Pre-application enquiry received to address above refusal
 7/6/12 – Pre application meeting takes place at Civic Centre
 25/6/12 – Agent emails revised plans to Planner
 28/6/12 – Email from Agent to Planner requesting an update on the matter
 18/7/14 – Further revised plans from Agent received
 26/7/12 – Planner provides formal pre-application response letter to Agent
 26/3/13 – Formal planning application received and validated, ref. 13/01014
 9/4/13 – Invalidity letter sent to agent
 15/4/13 – Acknowledgement letter sent to agent
 18/4/13 – Agent asks for application description to be amended to exclude the words, "Vehicular access to Tudor Way", which is now no longer proposed

19/4/13 – Objection received x 3
22/4/13 – Planner advises Agent that description has been rectified
23/4/13 – Local residents re-notified with amended description
24/4/13 – Objections received / Consultee comment received
25/4/13 – Neighbour comment received
29/4/13 – Consultee comment received
May '13 – Application called into committee by Cllr Owen
7/5/13 – Agent confirm receipt of two site notices; Planner advises that second one probably relates to the amended description
7/5/13 – Planner advises Agent that application has been called in to committee; Agent asks which councillor has called it in
10/5/13 – Planner advises that application was called in by Cllr Owen
17/5/13 – Agent seeks advise from Agent regarding progress update on application
30/5/13 – Planner confirms committee date
31/5/13 – Committee report
13/6/13 – Application considered at committee. Recommendation for permission is overturned and refused
5/7/13 – Appeal received
9/7/13 – Email to Ward Members advising of appeal
10/7/13 – Emails from Ward Members regarding appeal procedure
15/7/13 – Appeal start letter from PINS
18/7/13 – Appeal neighbour notification letter sent
18/7/13 – Appeal questionnaire sent
21/8/13 – Appeal statement sent to PINS
18/10/13 – Letter from appeal agent
23/10/13 – Letter from PINS re Inspector
14/11/13 – Planning Inspector visits site
9/12/13 – Appeal Decision issued granting planning permission for the scheme

Examples for Written Question No. 10

(1) Extract from Procurement Practice Note

“Gate Report - Considerations

14. SUSTAINABILITY / IMPACT ASSESSMENTS

(Sustainability Considerations

Detail here any sustainability issues that have been considered in specifying the works, goods, or services and in the delivery of the contract. For this, you may wish to consult with the Sustainability Manager in Environment and the Sustainability Lead in Procurement

Community and Sustainability Impact Statements /Assessments

The following questions should be addressed:

- *What will be the impact on local people, contractors and SME’s?*
- *Who will be affected by the contract?*
- *Are particular communities/groups likely to be affected differently by the issue?*
- *If there are likely to be adverse or less good implications for any particular communities/groups, what possible actions could be taken to ameliorate these? Are there any resource implications?*
 - *Where it is possible that the contract will have a disproportionate effect on a particular community or group explain the positive/negative effects. Include within this section any impacts required to be considered under the 2010 Equality Act.*
 - *If the contract will genuinely have no impact on local people or communities the following statement should be included: ‘This decision has been judged to have no or a very small impact on local people and communities’)*
 - ***If not included in the above, for service contracts there must be consideration of the requirements in the Public Services (Social Value) Act 2012 identifying how what is proposed might improve the economic, social and environmental well-being of the relevant area, how this will be aided by the procurement process and considering whether to have a consultation on the potential improvements themselves or how they might be secured. ...”***

(2) Example of Information Requested at PQQ stage

11. Environmental Sustainability		
Question	Applicant Response Please state; Yes / No	

	<i>to each question</i>	
<p>11.1 Does your organisation operate an Environmental Management System (EMS) and if so does the EMS meet the standards in ISO14001, EMAS or equivalent?</p> <p><i>If 'Yes' please enclose FULL examples and a copy of your certification.</i></p> <p><i>If 'No' please provide details of your organisation's own environmental policy / strategy document or provide details of what measures your organisation takes to adhere to good environmental practices.</i></p>		

(3) Example Tender Evaluation Matrix

19.0 STAGE 2 - EVALUATION CRITERIA

- 19.1 Stage 2 will consist of a fresh round of scoring based on Tenderers responses to service specific questions and will include evaluation of the tenderers pricing schedule.
- 19.2 All Stage 2 questions will require method statements using the methodology as noted in Section 17 'Method Statements' above.
- 19.3 All Stage 2 questions will be scored in accordance with the weightings illustrated in Table D below.
- 19.4 The percentage for each question for Stage 2 is detailed in Table D below:

Table D – Stage 2 Scoring Methodology

Question	% of Total Score
Price	60%
Quality Total	40%
Quality Questions are Comprised of:	% Score
1 Approach to Service Delivery	(25%)
2 Service Development & Ongoing Management Arrangements	(20%)
3 Customer Care	(20%)
4 Operation of Quality Management arrangements within Service Delivery	(20%)
Sustainability Issues covering Environmental, Social and Economic factors and benefits	(15%)