

LONDON BOROUGH OF BROMLEY

MINUTES

of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 11 April 2016

Present:

**The Worshipful the Mayor
Councillor Kim Botting**

**The Deputy Mayor
Councillor Alan Collins**

Councillors

Vanessa Allen	Peter Fortune	Tom Philpott
Graham Arthur	Hannah Gray	Chris Pierce
Douglas Auld	Ellie Harmer	Neil Reddin FCCA
Kathy Bance MBE	Will Harmer	Catherine Rideout
Julian Benington	Samaris Huntington-	Charles Rideout QPM CVO
Nicholas Bennett J.P.	Thresher	Michael Rutherford
Eric Bosshard	William Huntington-	Richard Scoates
Katy Boughey	Thresher	Colin Smith
Kevin Brooks	David Jefferys	Diane Smith
Lydia Buttinger	Charles Joel	Melanie Stevens
Stephen Carr	David Livett	Tim Stevens J.P.
David Cartwright QSFM	Kate Lymer	Teresa Te
Mary Cooke	Russell Mellor	Michael Tickner
Peter Dean	Alexa Michael	Michael Turner
Ian Dunn	Peter Morgan	Stephen Wells
Judi Ellis	Keith Onslow	Angela Wilkins
Robert Evans	Tony Owen	Richard Williams
Simon Fawthrop	Angela Page	
Peter Fookes	Sarah Phillips	

The meeting was opened with prayers

In the Chair
The Mayor
Councillor Kim Botting

166 Apologies for absence

Apologies for absence were received from Councillors Ruth Bennett, Nicky Dykes, Terence Nathan, Ian Payne and Pauline Tunnicliffe.

167 Declarations of Interest

Councillor Peter Morgan declared an interest in respect of the Budget Monitoring reports as his daughter was a director of Kier Group plc.

168 To confirm the Minutes of the meeting of the Council held on 22nd February 2016

The minutes of the meeting held on 22nd February 2016 were confirmed.

169 Petitions

There were no petitions to consider.

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

Eleven questions had been received from members of the public. These are set out in Appendix A to these minutes.

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

Fourteen questions for oral reply had been received from members of the Council. These are set out in Appendix B to these minutes.

172 Written questions from Members of the Council

Twelve questions had been received from members of the Council for written reply. These are set out in Appendix C to these minutes.

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

No statements were made.

174 Budget Monitoring - Growth Fund and Earmarked Reserve

Report CSD16056

A motion to agree the recommendations of the Executive that £6m of the underspend in Central Contingency and services be transferred to the Growth Fund, and that £3m be set aside in an earmarked reserve to provide a general provision to reflect the financial risks relating to the Council's share of business rate income was moved by Councillor Graham Arthur, seconded by Councillor Stephen Carr.

The following amendment to recommendation 2.1 was moved by Councillor Vanessa Allen and seconded by Councillor Ian Dunn –

“That the £6m underspend in Central Contingency and services, over half of which seems to come from the Care Services budget, should not be transferred to the Growth Fund, but should be used instead to reverse some of the cuts earlier this year in the proposed split as follows –

£2m to Children’s Social Care, including supporting Fostering Services, Children with Disabilities Short Breaks and Direct Payments;

£2m to Adult Social Care to support Melvyn Hall and other Day Care facilities, Adult Learning Disabilities Services and Domiciliary Care Packages,

£2m to Public Health to support areas such as the childhood obesity programme and other initiatives.”

On being put to the vote, this amendment was **LOST**.

The substantive motion to accept the recommendations of the Executive was put to the vote and **CARRIED**.

(Councillor Simon Fawthrop made a statement of personal explanation that in his earlier speech on this item what he had referred to as “frivolous” was the amendment, not social services – recorded at his request.)

175 Constitution Improvement Working Group - Fifth Report

Report CSD16055

A motion to accept the recommendations in the Constitution Improvement Working Group’s Fifth Report was moved by Councillor Nicholas Bennett, seconded by Councillor Tim Stevens and **CARRIED**.

176 Policy Development and Scrutiny - Annual Report 2015/16

Report CSD16054

A motion to receive the Annual Policy Development and Scrutiny Report for 2015/16 was moved by Councillor Simon Fawthrop, seconded by Councillor Stephen Wells and **CARRIED**.

177 To consider Motions of which notice has been given.

No motions had been received.

178 The Mayor's announcements and communications

The Mayor thanked those Members who would be attending the Golf Day on 14th April, and appealed for others to fill the remaining places. She also thanked her Consort for arranging the day. She announced that the end of year dinner dance on 23rd April was now full, although there was a waiting list.

Council
11 April 2016

The Mayor informed Members that there would be a special meeting of the Council at 6pm on Wednesday 11th May, before the annual meeting, to admit new Honorary Aldermen.

179 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED that the press and public be excluded during consideration of the items of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries
refer to matters
involving exempt information**

180 Investment Proposal

Report CSD16057

A motion to accept the recommendations in the report was moved by Councillor Graham Arthur, seconded by Councillor Stephen Carr and **CARRIED**.

181 Budget Monitoring - Part 2

Report FSD16024

The Council noted part 2 information relating to the part 1 report.

Appendices

Mayor

The Meeting ended at 8.46 pm

COUNCIL MEETING

11TH APRIL 2016

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

1. From Sarah Horsley, BFCA Secretary & Chair, to the Portfolio Holder for Care Services

How will LBB Councillors, who are all Corporate Parents, fulfill Bromley's Pledge to Children Looked After, if fostering allowance cuts go ahead? Foster carers will no longer be able to afford to take them on holidays, pay for religious celebrations, birthdays and extra-curricular activities, if additional allowances are cut.

Reply:

Elected Members are fully aware of their responsibilities as Corporate Parents for children looked after and strive to ensure that they fulfil their obligations to the best of their ability within the resources available. Currently, the Council is consulting on changes to our foster carer allowances and any views expressed during the consultation will be fully considered by Members as part of any decision.

Supplementary question:

In our role as a foster carer we execute your responsibility towards your children. We are not in loco parentis – the authority is yours. We follow the standards and guidelines set down by you, the local authority, which states that every child matters. The London Borough of Bromley training that we undertake underpins your pledge and your responsibility towards your children. So, as the corporate parent, how do you specifically intend to inform your children that they no longer matter enough to be funded to go on holiday, to celebrate their birthday, to celebrate Christmas or other significant religious festivals. Will it be by letter, by email or how?

Reply:

We are looking at the whole situation and consulting. I take your points about birthdays etc, but as part of our negotiations on this we are comparing the amounts of money that Bromley pays with other local authorities. I can assure you that many other authorities do not give these additional allowances.

2. From Sarah Horsley, BFCA Secretary & Chair, to the Portfolio Holder for Care Services

If cuts to foster allowances go ahead this summer, 80% (90% now) of Bromley carers will transfer to another Borough that values the work their foster-carers do by paying better fees. Would the councillors advise what provision they have put in place to deal with re-placing 100+ children with new carers?

Reply:

The Council is currently consulting with our foster carers on changes to the allowances. Any risks identified as part of the consultation will be fully analysed and

considered by Members as part of any decision. I would also comment on one part of your question, which implies that foster carers can move to other local authorities who pay better fees. It is our information that other local authorities do not.

Supplementary question:

May I draw your attention to page 22 of the findings and recommendations of care inquiry report launched in the House of Commons on 30th April 2013, where it addresses the need for greater attention to placement quality. The report advocates frameworks for commissioning services for children leaving care should require a minimum weighting of 60:40 in favour of quality over cost. As foster carers we have the central role in the day to day care of your children and we often know your children best. The cuts you have proposed are extreme, we therefore ask why has the corporate parent chosen to ignore this research in the interest of the cost to the borough over the quality of care to your children?

Reply:

Certainly we accept that the quality of care is most important, and it is one of our guiding principles. But unfortunately we have to also consider the wider picture of the financial constraints that the Council is faced with at the moment. Each and every department of the Council must be looked at very carefully in terms of potential savings.

3. From Sarah Horsley, BFCA Secretary & Chair, to the Portfolio Holder for Care Services

76% (now it is 90%) of foster carers stated that it would no longer be financial viable for the person in their care to join them on their family holiday. Would the councillors advise how they intend to provide respite for nearly 100+ children during the month of August?

Reply:

I can only repeat my previous answer - the Council is currently consulting with our foster carers on changes to the allowances. Any risks identified as part of the consultation will be fully analysed and considered by Members as part of any decision.

Supplementary question:

This is a very personal question from one carer. Many carers have based their outgoing financial commitment on fees they receive to look after your vulnerable children. If these cuts go ahead what will you say to the children who have lived with this single carer for over six years when she has to sell her house and give 28 days' notice because she will no longer be able to care for them because she will be over £600 a month worse off?

Reply:

We are looking at all of the circumstances with regard to fostering allowances and we will consider all of the evidence that we have, all of the potential risks, and we will make a decision based on all of the evidence.

4. From David Clapham to the Portfolio Holder for Renewal and Recreation

What specifically have the Council discovered following the information previously provided concerning the two flights operating outside hours and claimed to be 'Home Based'?

Reply:

The Council is satisfied that both cited did involve regular users who are account holders.

Supplementary question:

What is the difference between account holders and those that are based at the airport? Is it possible to have an account and not be based at the airport? What does an account holder mean?

Reply:

We have considered the whole topic of 'based aircraft' in light of your recent questions and analysis and concluded the examples cited are indeed 'based aircraft'. As you would expect, we have discussed this matter with Biggin Hill Airport, examined the lease and looked at the industry use of the word 'based' and reviewed historic practices prior to the grant of the lease.

Although the lease refers to aircraft which are normally based at the airport, it does not define what is meant by the term "based". Neither is there a standard industry definition of what a 'based aircraft' is. In 1991, the Council's Policy and Resources Committee defined 'based' as "jets which regularly use the airport and are account holders" and it is this broad definition that the Airport use in their operations. The use of fleet aircraft and fractional ownership has practically meant that where an individual or organisation have access to more than one aircraft but are account holders and regular users, that different actual aircraft are sometimes used by account holders and regular users. This operational practice has been in existence for some time. The volume of aircraft using the 'based' aircraft privilege is relatively low as would reasonably be expected, with these aircraft operated by account holders.

It is noteworthy that the Airport, as part of their application to change the operating hours, have effectively applied to the Council to remove the 'based' restriction from the early morning period. For the first time (if the final approval is given), there will be actual volume limits in the early morning period as well as tighter noise restrictions in this period compared with the rest of the day. It follows that the Airport, in applying for this additional flexibility, both recognise and operate within the 'based' aircraft criteria.

Please do be assured that the Council will not hesitate to take action if terms of the lease are breached and if you do have further evidence or examples which concern you, please do forward them so they can be examined.

5. From David Clapham to the Portfolio Holder for Renewal and Recreation

What action does LBB intend to take on these two clear lease contraventions and what process will be instigated to ensure spot-checks on information provided are

carried out in future.

Reply:

To date, we have not discovered any lease contravention but as we have said many times, we will take action if evidence is brought to our attention specifically regarding the lease. If anyone does believe that the airport is operating outside its license terms this should be reported also to the Civil Aviation Authority as they would need to investigate and take action they saw fit.

Supplementary:

I have informed the Council of a contravention. As there was a contravention of the lease and equally seriously CAA regulations by a landing at 21:38 on Thursday 22nd October 2015, as the landowner is the Council also vicariously liable in not taking action on non-compliance

Reply:

We have spent quite a long time investigating this aircraft which seemed at one time to be a ghost. It is not a ghost. We have actually found out that the entry at Biggin Hill was incorrect. It was not entered as arriving on 22nd April but as 21st April. It arrived on 22nd, but they recorded it, whether by mis-print or typing, as arriving on 21st. It is the same problem, the same time, 21:38, so Mr Clapham's question is very reasonably addressed to that particular aircraft. What I can tell him is that that aircraft was a Phenom 100, a small six seater business jet. The airport have confirmed that they are a frequent user of the airport and have an account with them. I am therefore satisfied that this is a based aircraft in a similar way to how I described earlier.

6. From David Clapham to the Portfolio Holder for Renewal and Recreation

In view of these and other potential contraventions, are the Council satisfied that the many promises made during the application process for additional operating hours will be honoured.

Reply:

I refer to my previous answers as no contraventions have yet been found. If you do have evidence please bring this forward.

Whilst I respect promises, I will not rely on promises but on the legal agreement that we will be entering into and the strength that this will give to us and to everybody, and we will enter into this new agreement with the utmost care.

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

(Please refer and circulate my first attachment, taken from BH Section 2, recently published by LBB – appendix 1)

The very important over-riding clause (f) of Schedule 3 is now in brackets. It could prevent the Piaggio Avanti at Biggin Hill, as is already the case at other private airports. Since you promised that, excepting the hours, the terms of Schedule 3 will remain, why is that clause in brackets?

Reply:

The Council has already used this clause to look very carefully at the Piaggio, with the findings of the subsequent noise study already published in the appendix of the November report. The brackets shown on your scanned document are not in the original lease and appear to have been added in manuscript by a third party, just as someone has underlined parts of the previous paragraph. These marks have absolutely no basis or meaning in law. The deed of variation to be entered into with BHAL will be a separate deed and will not affect paragraph (f) which will remain completely in force.

Supplementary:

In the same document there are also square brackets and I would like to understand the difference between normal brackets and square brackets and why they are there in the first place.

Reply:

They have equal meaning to the round brackets in the following paragraph – no meaning whatsoever.

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

(Please refer and circulate Figure 7 in my second attachment, taken from the Cyrrus submission with regards to the new R03 route – appendix 2)

The forecast procedure for take-offs from R03 no longer requires turning east one mile from take-off. Jets will now follow the Runway 21 route to the hospital, Farnborough, Crofton and Orpington. Where is Cllr Carr's promised benefit for us since, when we do not have landings, now have even noisier take-offs?

Reply:

I suspect you may have misunderstood the plan. The map you are referring to only shows 03 arrivals and not departures. The departure routes remain completely unchanged and as they have been for the last 30 years.

Supplementary question:

Why do we have a map if it does not say what is meant to happen?

Reply:

The green line is delineating the missed approach path when an aircraft fails to land for whatever reason and then takes off again. That shows the route that in those very rare circumstances the aircraft might follow. It is for the precision approach and then only a notional procedural path to be followed in the absence of alternative ATC instructions and radar vectors and will only be rarely used if ever. The Airport cannot change departure tracks (or other tracks) without a full airspace change proposal.

(At this point the 15 minute time limit was reached, but the Mayor agreed that the remaining questions should be answered.)

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

£65,000 have been allocated in the new budget for extra consultancy work on the implementation of the NAP. Considering that residents have already explained that

we do not consider the noise monitoring and track keeping system helpful, why do you continue to spend residents' money on this futile exercise?

Reply:

The Council would quite rightly be criticised if we naively accepted any Noise Action Plan that the Airport presented and therefore, we have engaged expert advice to make sure the noise monitoring, for instance, is as robust and accurate as it can be. For the first time, all of us, including residents, will be able to track individual Biggin Hill planes online, seeing exactly what path has been taken, with noise levels etc and action can then be taken if appropriate. I don't regard spending money on noise related advice as futile but you have a different view.

Supplementary question:

Can you imagine a 737 or a Gulfstream or a helicopter 700 feet above your home? Can you imagine 8 of them in half an hour between 6.30 and 7am, and 8 between 10 and 11 at night? The NAP noise envelope allows for this. Isn't it futile to monitor this kind of noise? Do you not see that you are donating to the airport a tool to silence us?

Reply:

All the costs will be recovered from Biggin Hill Airport including the £65k to which you refer. The comment about 8 aircraft in the shoulder hours - of course, it is possible now, if those aircraft happened to be based at Biggin Hill - in fact we could have more than 8, the lease has no restriction. In fact, with the overall envelopes, although you might have 8 on one particular day you would then have to have none on other days to make up for it. So the overall effect, we believe, is going to be beneficial.

10. From Robin Fletcher to the Portfolio Holder for Care Services

The London Borough of Bromley has stated its intention to move to a commissioning borough for all services. Does the council therefore intend to move fostering services including foster carers to an Independent Fostering Agency (IFA)? If so - has an agency or agencies been approached by LBB in order to provide this service, what stage are the negotiations and has an IFA been appointed or will be appointed within this financial year 2016/17?

Reply:

The Council is reviewing all of the services that it provides as part of the need to identify cost efficiencies due to the significant reduction in central government grants. As part of this review, all services are scoped and market tested before a formal view is taken as to whether the service, in whole or in part, can be delivered differently and more efficiently, either internally or commissioned from an external provider.

Currently, with regard to fostering, work has commenced to 'scope' the work of the fostering service, with a view to market testing during the 2016/17 financial year. No decision has been taken to 'outsource' the fostering service and no independent has been provider identified. Any decision to commission a new service will be subject to a formal procurement exercise which includes consultation with foster carers and other staff affected.

11. From Jonathan Coulter to the Portfolio Holder for the Environment

Road congestion is growing, and one way of reducing it is to get commuters cycling to the stations. In view of this:

- What is the Council doing to improve the safety of the approaches to Bromley South along the A21 and Westmoreland Road?
- Has the Council any plans for segregated cycle tracks on these routes?

Reply:

Bromley Council, as is the case elsewhere across London, closely monitors collisions involving injury on all of our streets in order to identify problem locations and to prioritise interventions.

The A21 is the responsibility of TfL, so it would be for TfL to prioritise safety interventions on that particular route.

The Council does support, and indeed is already lobbying TfL, to make more cycling friendly improvements along the A21.

Westmoreland Road is not deemed wide enough, nor do available funds exist in either event, to facilitate segregated cycling along its route.

Supplementary question:

I understand that when the property housing the DHSS office at the corner of Westmoreland Road and Masons Hill was put up for sale, the Council might have put in a section 106 with a view to widening the junction and improving access for cyclists and buses. The Council might have anticipated these transport cycling needs before approving new building projects in the area like the massive St Mark's Place.

Reply:

The future of the Westmoreland Road site is uncertain still, who knows what might prove possible there once we establish its longer term future. Certainly, if there is any possibility of improving what is a very busy and for children dangerous junction the Council will look closely to do so. So far as that actual building is concerned its longer term future is still uncertain, so we cannot say anything with certainty at this stage.

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in this category, (ie those considered excessively noisy by reference to such measured noise data as exists, complaints received and actual operating experience) will not be allowed to use the Airport. Lists of such aircraft will be published by the Tenant and the list updated from time to time.

(ii) Other Subsonic Aircraft

Noise levels measured at 3 points.

- (a) "sideline" - on take-off, maximum noise level 650 metres to the side (450 metres in the case of "new" turbo-jets or turbo-fans);
- (b) "take-off" - on take-off, 6.5 km from start to take-off;
- (a) they have CAA noise certification;
- (b) authoritative measured data exists which show that the aircraft satisfies the most stringent of the noise levels set out above, ie that for modern turbo-jets and turbo-fans which is:

Sideline	94 EPNdB
Take-off	89 EPNdB
Approach	98 EPNdB

These limits will be revised in line with any Government revision. Lists of aircraft satisfying these criteria will be published by the Tenant and updated from time to time.

- (f) NOT permit any movements in or out of the Airport by any aircraft which the Landlord has prescribed as being excessively noisy (having regard to measured noise data tests undertaken by the Council's Chief Environmental Health Officer, operating experience, representations received from persons living in the area or surrounding the Airport, the users of the Airport and the views of the Biggin Hill Airport Consultative Committee). The restrictive provisions of this paragraph (f) shall not apply to any

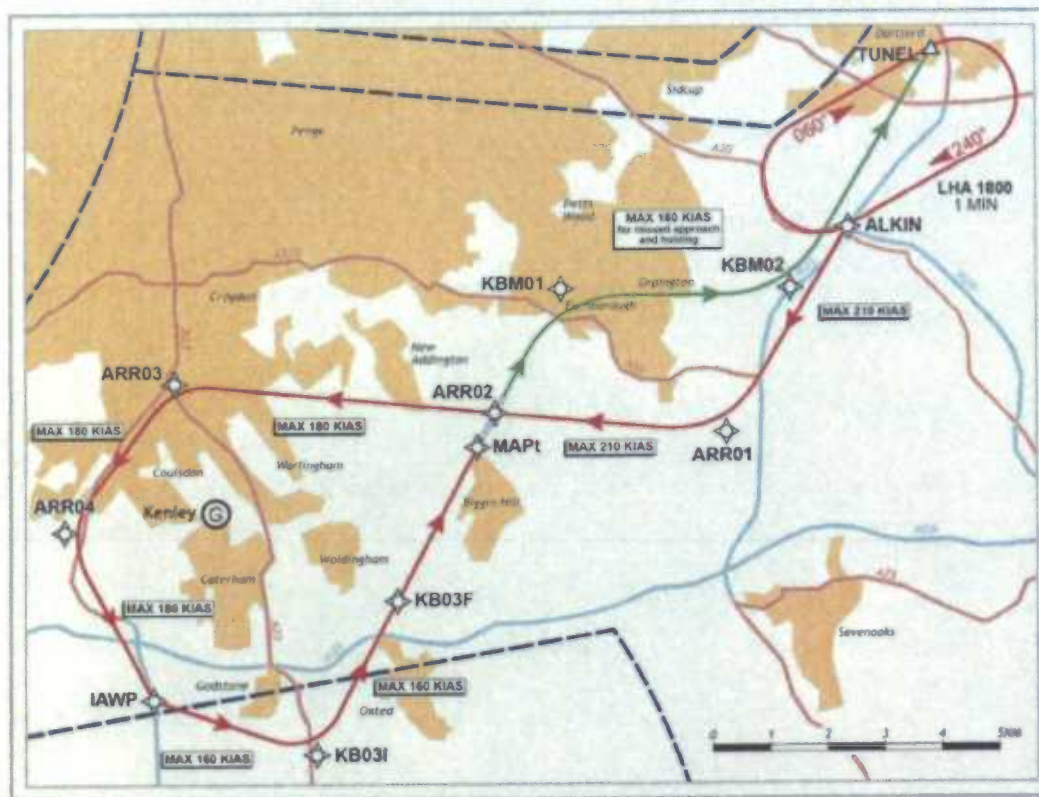
aircraft movements occurring in connection with the International Air Fair or any specific event or display approved by the Landlord.

- (g) Support and co-operate fully with the Biggin Hill Airport Consultative



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Figure 7: Proposed RNAV GNSS IAP – Runway 03

This, in turn, allows the aircraft to maintain 3000ft amsl for this 'Direct Arrival' portion of the procedure which keeps the aircraft within CAS (base 2500ft amsl) so that LBHA arrivals are not vectored to avoid itinerant transit traffic – the intentions of which are unknown - operating in the uncontrolled (Class G) airspace below 2500ft amsl. Consequently, the track can be very predictable and therefore repeatable. Furthermore, at 3,000ft amsl a typical business jet in clean configuration would be audibly imperceptible from the ground.

- 4.2.3. In order to avoid other routes in the LTMA used by LHR, LCY, London Southend, London Stansted and London Luton, the preferred track from ALKIN would be via the LBHA overhead. However, this would mean direct overflight of significant residential areas such as Orpington and Farnborough. Whereas the type of aircraft flying this IAP are inherently quiet, the opportunity has been taken to route east and south of the Orpington conurbation over relatively open countryside by introducing a turning waypoint designated ARR01 (the designation of this and other similarly-designated positions may change later) positioned overhead the M25 Junction 4; the minor increase in track distance occasioned by introducing this 'dog-leg' is considered acceptable when compared with the reduction in overflight and reduction in potential disturbance to densely populated suburban areas. From ALKIN to overhead LBHA (waypoint ARR 02) the aircraft maintains 3000ft amsl.
- 4.2.4. Subsequently, the aircraft continues on the same westerly track to a waypoint currently designated ARRO3 where the aircraft turns south-westerly. The purpose of this leg is to provide some displacement to the west of LBHA so that the aircraft has enough space to turn onto final approach and descend without the procedure becoming 'rushed', possibly resulting in an unstable approach. Until the turn at ARRO3, the aircraft will have been

COUNCIL MEETING

11TH APRIL 2016

QUESTIONS FOR ORAL REPLY FROM MEMBERS OF THE COUNCIL

1 From Cllr Angela Wilkins to the Portfolio Holder for Renewal & Recreation

Does the Portfolio Holder agree with me that it is healthy for the community at large and for future business rate revenues for the council if our smaller town centres are vibrant and growing? What is the council doing to support and develop successful local shops and businesses in its smaller town centres such as Penge & Beckenham?

Reply:

The Council has allocated £1.2m from the 2015/16 New Home Bonus settlements to support public realm improvements and business support initiatives that directly assist local shops and businesses in Penge and Orpington.

The Orpington tranche of this programme is being delivered by Orpington 1st the BID (Business Improvement District) Company in partnership with the Council. To date this has included their delivery of a business support workshop programme, a business support expo (in partnership with Bromley College) and an upgrading of the Orpington town centre website.

Officers have also been working with the Penge Traders Association to understand business support needs in Penge through use of a business survey and a mystery shopper exercise. The results of this work will shape and commission a comprehensive and relevant programme of support, including a shopfront improvement scheme.

A feasibility study into the potential for the development of BIDs in Beckenham and Penge town centres has been commissioned and will be completed by early May 2016.

The detailed design of the major public realm improvement works in Beckenham are ongoing with an anticipated start date in September 2016.

Finally the Council has also approved the extension of the successful Local Parades Improvement initiative using an allocation of a further £250k as part of the Members Initiative fund. This fund will be accessed via local Ward Councillors and will be open to Local Neighbourhood Centres and Parades.

I am also very pleased to inform you that all of the shops that the Council owns on shopping parades throughout the Borough are now fully let, that is, we have no current voids. I believe this is the first time in many years that this has been the case. These units not only generate rent to the Council, they also provide important services to our local community – a win for all.

Supplementary Question:

It will be rewarding to see the outcome in Penge and Beckenham in particular. Is he confident that putting car parking charges up in Petts Wood is actually going to help there or will it cause problems for businesses?

Reply:

I have long debates with my colleague the Portfolio Holder for the Environment about this topic of parking in shopping centres. It is a bit early to say in the case of Petts Wood but we will keep a close eye on it because it could have reference to other centres in the borough.

2 From Cllr Ian Dunn to the Portfolio Holder for Care Services.

Can the Portfolio Holder describe the independent research undertaken by the Council which has led to the conclusion that the fostering allowances currently paid by the Council are generous as stated in the consultation letter dated 14 March 2016?

Reply:

Research was undertaken, by the Fostering Service, during the summer of 2015 which compared Bromley foster carers allowances with similar allowances paid to foster carers in neighbouring authorities. This research was independently analysed by colleagues in the Finance Directorate and concluded, from the information provided, that Bromley foster carer allowances are greater, generally, than those paid to foster carers in our neighbouring Boroughs.

I am very keen to look at all evidence, as much evidence as I can with regard to these payments. I understand from Ms Horsley who spoke earlier that she has access to information which tends to indicate that we are not quite so generous. I would like to look at that evidence and assess it.

Supplementary Question:

The most important people in fostering are the foster children themselves. How do you assure councillors as corporate parents that when the decision on this is taken later this year that full regard will be given to the interests of children, particularly their need for stability?

Reply:

The situation with regard to the children is paramount as far as I am concerned, but as I said earlier this has to be within the financial restraints that the Council has.

3 From Cllr Kathy Bance to the Portfolio Holder for Care Services

How can you justify that empty Affinity Sutton properties in Bromley are available to bid by people living outside the Borough, but not on the London Borough of Bromley housing bid system.

Reply:

Affinity Sutton advertises all empty properties available for letting in the Borough through Bromley Homeseekers Choice Based Lettings System. As such they are all available to local residents meeting the criteria in terms of level of housing need for inclusion onto the housing register. The only exceptions are a small proportion of vacancies each year which must be advertised on a pan-London basis through

Housing Moves. This is a mandatory requirement and affords social tenants the opportunity to transfer between boroughs. The scheme is designed on the basis that no borough would become a net exporter or importer and as such does not lose the total number of lettings available. There are also a very small number of units which may not be advertised through Bromley Homeseekers as they may be used for direct lettings to local residents, for example requiring an emergency transfer or under a quota queue arrangement for move-on

Supplementary Question:

Does that mean that if I forward the address someone can tell me if that was the circumstances for a pan-London application?

Reply:

I am very happy to look at any individual cases sent to me.

4 From Cllr Kevin Brooks to the Portfolio Holder for Care Services

When the London Borough of Bromley awarded the contract covering the organisation of elderly care packages to Variance, what processes were expected from them to advertise day care centres to potential service users?

Reply:

We assume that Councillor Brooks is referring to the contract with Vibrance.

All service users who have been assessed as requiring some form of day opportunity, either to provide respite for family/ carer or to combat social isolation for the individual, are referred to Vibrance. As individuals are statutorily entitled to exercise choice in how they spend their personal budget, Vibrance makes an initial contact to establish what the person might want to do. If the person is clear that they want to go to a day centre then Vibrance have no further involvement and refer back to the Council to refer to the relevant day centre.

If people are not sure at that point what they want to do, Vibrance will explore options with the service user and develop a support plan. After exploring alternatives it may be that someone decides that a day centre is their preferred option. In these circumstances then again they are passed back to the Council to fast-track a referral to the relevant day centre.

From April 2015 to March 2016, 39% of referrals to Vibrance were referred to day centres.

Supplementary Question:

I admit that not everybody wants to access day care centre provision, and there should be a choice of alternatives as people want to choose different care packages. However, the percentage of people being referred is placing a great burden on day care centres continuing to function. As the Council desires choice it is important for these to continue in order for people to have that choice. Could I ask what the Portfolio Holder may do to work with Vibrance to encourage referrals and ensure that day care centres have a future for Bromley residents.

Reply:

It is important that enough day care centres continue to provide the opportunities for people who are eligible, but I do not think that I hold a brief for the maintenance of

day care centres. What I am responsible for is the individuals who are eligible for our assistance and it is a question of making sure that they go where they want to. We have day care provision available, but it is certainly true that, over the last few years, and it is increasingly so, that fewer and fewer of our elderly residents if they have a care package do not choose to go to day centres.

5 From Cllr Peter Fookes to the Leader of the Council

What representations has he made with regard to the future of the Crown Post Office at Beckenham?

Reply:

Proposed changes to the Crown Post Office at Beckenham have only recently come to our attention. Most of the information available at present seems to be from the campaign against its relocation. Officers are urgently seeking clarification from the Post Office about the exact nature of the proposed changes, and about any consultations which the Post Office is running, or plans to run, to which the Council and myself can make representations.

Supplementary Question:

It would be very useful that if any decisions are to be made on the future of any of our post offices that a report should go to General Purposes and Licensing Committee, Renewal and Recreation PDS Committee or the Executive. I certainly think that Members should have the opportunity of commenting.

Reply:

Clearly we are in the business of trying to defend what local people want and supporting local businesses and the local economy. I have been in contact with others, local assembly members etc just to highlight the issue just in case they hear of anything out there on the airwaves. I have put the word around looking for as much feedback as I possibly can. We will be keen to support the local economy in any way we can.

6. From Cllr Nicholas Bennett JP to the Leader of the Council

What instructions has the Chief Executive given to his chief officers regarding the timely treatment of correspondence from members?

Reply:

Following my discussion with the Chief Executive, he has directed that Members' requests must be treated as high priority and should be acknowledged within 24 hours with a full response within 3 working days, sooner where possible, but perhaps up to 5 days depending on the nature and the complexity of the issue. However, if a question cannot be answered within this time frame, Members should be given an expectation of when a full response will be provided. There will be occasions due to annual leave or sickness, for example, when these deadlines may be tested, but out of office responses should always indicate to Members who to contact and the delegated respondent should take up the request, explaining any delay to the Member concerned. A guidance note will be issued to all senior staff to this effect.

Members of the Council are accountable to their electorate and therefore officers must ensure that Members are in a position to respond promptly to questions that have been raised by them.

7. From Cllr Hannah Gray to the Portfolio Holder for Renewal & Recreation

What action is being taken to respond to inquiry number 310330? (This is regarding a tree surgery request at Corkscrew Hill Tennis Club, Corkscrew Hill, West Wickham BR4 9BA.)

Reply:

A search of the Council's On-line-application portal for Tree Preservation Works reference 310330 did not reveal any submitted application. Whilst it is acknowledged that an application receipt was issued, the Council's internal information technology systems suffered major system failure in the week of 13th February when the application was submitted. Investigations have concluded that the electrical outage resulted in a number of submitted applications being wiped, as in this case. Unfortunately as there were no contact details remaining on the system officers could not contact applicants to make them aware of the problem.

Officers were only made aware that there was a problem six weeks later and have since then been in direct contact with the applicant to request that the application be resubmitted so it can be processed. I accompany this with an apology.

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

Is he absolutely certain that no member of current or previous council staff can be held responsible for inadequate checks on the employment status of people paid by this council as consultants (or under IR35 more generally) which have led to the Council now having to pay an unexpected £343,500 to HMRC?

Whilst the report in which information related to this question was provided was classified as Part Two, it was stated at the meeting that the reason for this was actually the subsequent material relating to the NHS and business rates.

We therefore believe that there is no legal reason why the repayment due (from Bromley council tax payers) to HMRC should not be in the public domain.

Reply:

As previously advised at the last Executive meeting, a number of organisations both in the private and public sectors are currently working with the HMRC to address the complexity of this issue to ensure that individuals, irrespective of their employment status, are personally liable for their tax liabilities. The complexity arises, in part, from the different approaches to employment status for tax and employment purposes. In respect of the former, self employed unlike directly employed staff, are required to individually settle their taxes.

However, on the back of the ongoing work with the HMRC the Council's approach to consultants or self-employed individuals has been radically changed to eliminate or significantly reduce any future risks to the Council. Hence, going forward, every consultant or self-employed individual will 'not be engaged in their own right'. Instead they will be engaged through a master vendor, Adecco, who will be responsible for the tax deductions applicable to this group of workers.

Supplementary Question:

I am not sure that my question has been answered. The situation around self-employed contractors is very complex, and it is partly why Gordon Brown as Chancellor in 1999 introduced various regulations on the IR 35 issue to try to address this problem. I find it very difficult to believe that this has happened, as there was a lot of training and briefing across all Councils and companies at the time. Will the Portfolio Holder please agree that the information should be in the public domain and not in part 2. Will he agree to do that? This part of the report should be published and not in part 2 and in order to avoid the allegations of a cover up this is exactly what we need to do.

Reply:

The advice which puts reports into part 2 is legal advice. In this case legal advice was given that as this was an ongoing contractual matter it should properly be put in part 2. The report has two items and this particular item I would be happy to see in the public arena. We are talking about public funds and therefore it is a matter of public interest. There are certain things that I would like to explain which would probably take me into part 2. That said, I think I can properly say that HMRC operate under delegated regulation and have chosen to interpret this piece of legislation in a certain way that disadvantages local government. It is true to say that a good number of Councils up and down the country, some suffering a liability in the millions of pounds, have engaged other people to act on their behalf. It was acting on our behalf that led to our own liability coming down from an initial figure substantially higher than the figure finally arrived at. The process for that should be in the public domain once I have legal clearance for that.

Additional supplementary question:

Councillor Simon Fawthrop stated that he supported Councillor Arthur's hope that the issue could be brought into the public domain, but he also asked that if necessary Audit would look at this to see if any other action should take place.

Reply:

Cllr Arthur responded that he was happy to give this assurance and that he had already spoken to the Chairman of the Audit Sub-Committee who would be taking this to his Committee.

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

Do the London Borough of Bromley and Affinity Sutton have any plans to identify and convert appropriate empty properties to suit our residents who are on the waiting list for adapted properties? They understand that at present they have to wait for tenants to die and so vacate one of the few premises we have.

Reply:

Bromley has a dedicated housing Occupational Therapist (OT) who works with housing associations and housing developers to ensure that 10% of new build units are built to wheelchair accessible standards in line with the London Plan Policy. The OT also works with households requiring adapted properties and housing associations to make the best use of existing adapted units. This work will also include facilitating adaptations in non-adapted properties where these properties have the potential for adaptations to meet a household's needs.

In response to the last sentence of the question, the understanding that they have to wait for tenants to die and so vacate one of the few premises we have is incorrect. Applicants with disabilities have equal rights on the register to all other people, and if they are allocated a property according to our criteria and that property needs, and we can put in, adaptations, then we do so.

Supplementary Question:

The last time I checked with our dedicated Housing Officer, residents, such as a resident that I am working with who has had both legs amputated living high up off the ground floor, could be waiting up to six years. That does not seem to match the reply you have given. Is there any proactive work that could be done to reduce this? I have at least two residents who are totally incapacitated that live not on the ground floor and not in adapted properties with no short term assurance that they will be moved soon.

Reply:

I have quoted the official departmental policy, but if there are individual cases that do not fit that please refer and I will look at them.

10. From Cllr Peter Fookes to the Portfolio Holder for Education

What evidence has he got that academy schools perform better than those under LEA control?

Reply:

If the two areas of performance are considered for schools – Ofsted outcomes and attainment data we cannot give a simple response. I will try my best.

For the January 2016 Education Policy and Development Scrutiny Committee we reported in the Schools Performance Update Report on Ofsted Outcomes presented in the Ofsted Annual Report 2015. Bromley has a high level of schools that are Good or above.

At Secondary level 100% of Bromley pupils are taught in Good or Outstanding schools, which makes Bromley the second highest performing LA in England and Bromley also the second highest number of secondary pupils taught in Academy schools (95%).

At primary phase, 77% of pupils in mainstream primary phase schools are in Good or Outstanding schools, with the highest number of pupils educated in primary phase mainstream academy schools, also 77%. Most Academy schools, however, have not been inspected post-conversion, so it is too early to comment on relative performance when comparing Ofsted inspection data. Most maintained schools with a below Good rating have chosen to await their next inspection before converting.

In terms of attainment data it is also difficult to present a definitive view as to the performance of academies as compared with maintained schools. In Bromley we continue to perform at above national comparators on all indicators. The DfE produce school performance tables for LAs showing all schools.

As only one secondary school does not have academy status the comparative aspect is very limited in terms of its usefulness.

For Primary phase schools we can say that of the schools that were Academies with published Key Stage 2 results for 2015 92% showed the same or improved results for 2015 compared with 2012, whilst for maintained schools it is only 73%.

Supplementary question:

Is he aware that there has been widespread disagreement amongst his Conservative colleagues? Roger Gough, his Kent counterpart, says there is no demonstrable evidence of improvement under the academy regime, and Graham Brady MP, chair of the 1922 Committee, says schools should not be coerced into becoming academies. The other problem we have here is whether this authority supports the loss of parent governors from academy schools, which is also part of the Bill.

Reply:

I did try to present the facts, both from Ofsted and attainment data, but it seems that we are going to quotes, so I dug out a quote from a former Education Secretary that talks about some of the important aspects of academy schools. He says "... My key priority is to close the gap between the best and worst performing schools... That is the single most important challenge facing the national education system. We have, at the top of our system the best schools in the world but by far too long a tail of underperforming schools. That is why I was so relentless about maths and literacy, phonics and effective teaching of reading in primary schools. I am passionate about improving pay and conditions for undervalued teachers, passionate about Teach First which gets more highly achieving graduates into the most challenging schools, it is why I pioneered the academies programme to act as a battering ram for high standards." That was Lord Adonis, the former Labour Education Minister and author of "Education, Education, Education." What we are seeing is an improvement in schools, we are seeing choice for parents and more responsibility being given back to the people looking after the children.

What I do not understand is that they are very keen for steelworkers to run the steelworks, for tube drivers to run the tube network, and yet they do not seem to trust the teachers to run the schools. I have faith in those teachers.

11. From Cllr Nicholas Bennett JP to the Portfolio Holder for the Environment

What is the policy regarding the cleaning of mandatory and advisory traffic signs on the borough roads?

Reply:

Traffic signs, other than illuminated 'keep left' bollards which are cleaned 2 to 3 times a year subject to requirement, are cleaned on an ad-hoc basis where a need is seen by officers or requested by a 3rd party.

Supplementary question:

Is the Portfolio Holder aware that when I was last at the West Wickham Residents Association the person who represented the Association at the Road Safety Panel was told that no street signs were cleaned because of the cuts? I am delighted to hear that that is not the case.

Reply:

Our Road Safety Panel perform a very important function and help us to link with residents. Communication in these matters has to be spot-on. Mindful of Councillor

Bennett's information, I will feed back through officers to the Panel to ensure that anything that they have been told that is incorrect is corrected – we will do that tomorrow morning.

(At this point the 30 minute time limit for question was reached, but the Mayor agreed that the remaining questions should be heard.)

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

Has he read the recent "*London Plan Annual Monitoring Report 12, 2014-15*"?

Reply:

Yes, not in its entirety but a large chunk of it.

Supplementary Question:

This report explains how Boris Johnson has struggled to get to just over 50% of his own target for social housing across London for 2012 to 2015. Here in Bromley we have only contributed 18 houses to this and we have had two years where we have lost social housing for various reasons. Will the Leader undertake to ensure that Bromley makes a much better contribution under the next London Mayor?

Reply:

We are fully aware of our statutory obligations and do continue to meet them over a period of time. The figure that Cllr Wilkins alluded to is a disappointing figure but it must be taken in real context – the net effect it has of having closed two or three regeneration sites across the borough that has led to a much lower figure than would otherwise be the case. Cllr Wilkins also refers to social rented accommodation, and that is just part of the definition of affordable housing and we have been very keen to get a balanced and mixed tenure spread of affordable units across the borough. We will continue to do that. What has happened because of the economic situation is that it has become more and more difficult where developers, getting planning permission to build (and we have never aspired to 50% affordable housing, but have a target of 35%) still seem to be able to get away with claiming a lack of viability on schemes and are not delivering the affordable houses that should be delivered in our borough. I will take that up with people. I do think that the figures are slightly inaccurate at present or certainly must be put in context. One of the things we have benefited from is that a significant part of the developments in the borough have been from small sites up to nine or ten units where no affordable housing is required. We are getting the significant benefits of new builds, but it has been difficult to acquire the affordable housing units. Yes, we will be doing more to give more choice and the ability for people to get on the housing ladder where here they can, but it will be done in the Bromley way. We do not believe in high densities and tall buildings in certain areas, but we will be doing what we can to support what we believe is the Bromley aspiration for young people to aspire to own their own homes.

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

When will weekend or evening street cleaning take place in those roads which are heavily parked during the day?

Reply:

The borough's street cleaning department are already cleaning roads early mornings, evenings or at the weekends. I have asked in this chamber if any Members have any

roads that should be a candidate for weekend cleaning or at a time when the kerbs may be more accessible, to please let me know and I will process that with officers on their behalf, but I have not had contact from many people, or indeed from Cllr Fookes.

Supplementary Question:

What we need to do is look again at this. In the past we have asked people not to park in particular roads to allow cleaning to take place and we do need to do this more, particularly in the Beckenham and Penge areas.

Reply:

We have the Environment PDS Committee where these issues can be channelled through if there is a real need and I would welcome input from any Members. It is clearly a problem but we are working around it where we get cooperation from Residents Associations and Street Friends. Please feed any positive input through and I am sure that we can take this forward in any ward across the borough.

14. From Cllr Nicholas Bennett JP to the Portfolio Holder for Education

What estimate he has of the number of schools which will have converted to academies by September 1st 2016 and what that will represent as a proportion of the total maintained schools in the Borough?

Reply:

As of September it is expected that there will be 64 Primary Academies, 87% of the total, and 16 Secondary Academies, 94% of the total (that is all but one of the secondary schools.)

In addition 1 special academy and 1 alternative provision academy exist out of a total of 5 special provisions, 40% of the total having converted.

Our overall conversion rate is therefore predicted to be over 90% for mainstream schools by September 2016.

Supplementary Question:

Has the Portfolio Holder seen the White Paper “Educational Excellence Everywhere” page 69 published on March 17th which refers to Bromley in glowing terms. Can I congratulate him and Cllr Wells his predecessor on all the work they have done on the academisation process and can I ask him that he ensures that he will be there at the first Education Select Committee where we look at the future role of the Education Authority?

Reply:

I have seen that report and I echo his comments about Cllr Wells who laid the path for what we have done and to himself on the PDS Committee. We will have a big role to play with the academies agenda. We have already been invited to talk to DfE officials last week, we have spoken with the Regional Schools Commissioner who talks about Bromley at the highest level. I think this is something we should be proud about because we are championing the academies programme, we are providing opportunity for the children, we are making sure that kids in our borough are getting the best possible education that they can get. This is something we should be very proud of. Whether or not I attend the Select Committee as Portfolio Holder is, as he is aware, not up to me.

COUNCIL MEETING

11TH APRIL 2016

QUESTIONS FOR WRITTEN REPLY FROM MEMBERS OF THE COUNCIL

1. From Cllr Simon Fawthrop to the Resources Portfolio Holder

What is the average cost to the Council in Officer time and any additional on costs of answering (this can be an estimated cost)

- a) a written question from Council Members?
- b) an oral question from Council members?

c) Using the answer to a) and b) above

In tabular format can you list the number of questions (oral and written) by Councillors (in alphabetical order) and the cost that these questions can attribute to each councillor since the Council election of May 2014.

Reply:

It is very difficult to estimate the cost of answering a Council question, as the amount of work can vary enormously for each question and we do not keep detailed records of the time spent on questions. There is also a wide range of officers who may potentially be involved, including Democratic Services officers providing central coordination, Chief Officers and their PA's, and officers in the departments (often at senior level) researching the answers and providing draft replies. In addition, most Portfolio Holders and Chairmen will spend some time discussing each question with senior officers and checking and approving each answer. There is not necessarily a great difference between the time spent on questions for oral or written reply.

Allowing for all the above, an estimate £104 per question is reasonable. The numbers of questions asked by each Member since the 2014 election are set out in Appendix 1, and the £104 figure has been used to total the estimated cost to the Council.

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

Can he confirm please whether or not the council has commissioned a report on the impact of membership of the EU on the council's budget?

If such a report has been commissioned, can he please provide the cost of such a report and also confirm who will be paying for it?

If such a report has not been commissioned by the Council will he inform his members that they should not be telling voters that it has?

Reply:

I am not aware that any such report has been commissioned and voters should not be told by anyone that it has.

3. From Cllr Ian Dunn to the Public Protection & Safety Portfolio Holder

Can you provide the number of food premises in the Borough, the number of new premises, the number of inspections of food premises carried out, the number of inspections resulting in the issue of notices requiring improvement and the number of prosecutions? All of this information to be provided for the last 10 years and broken down by year.

What is the current backlog of food inspections?

Reply:

We have data for the last 8 years as this is all we keep.

The table sets out the details to the specific questions posed by Cllr Dunn

Year	No of premises	No of Inspections	No of new premises registrations	No of premises with notices	No of convictions
2015/16	2415	565	315	8	2
2014/15	2398	638	310	9	2
2013/14	2286	889	333	17	0
2012/13	2210	897	382	15	0
2011/12	2110	973	312	22	3
2010/11	2055	992	211	4	0
2009/10	1984	1001	242	13	3
2008/09	2011	997	160	16	0

As at the 31 March 2016 we have 722 inspections outstanding in risk categories B-D (38 cat B = 12 monthly inspection, 288 cat. C =18 months inspections and 396 cat D = 24 month inspections). 340 businesses are unrated of which about 50 will require an inspection to determine the risks and future inspections. The remaining are very low risk and will be Category E premises which are not inspected but are subject to an alternative enforcement strategy based on reassessing their food safety risk every 3 years using questionnaires.

4. From Cllr Ian Dunn to the Public Protection & Safety Portfolio Holder

Can you provide the number of test purchases for selling age restricted products in the last five years broken down by year and the number of premises where this resulted in a review of the Premises Licence, also broken down by year?

Reply:

See [Appendix 2](#).

5. From Cllr Kathy Bance to the Education Portfolio Holder

The Improvement Plan for Bromley Youth Offending Service dated July 2015, recommendation 1f stated:

‘Restructure the YOS staff structure to ensure that it is fit for purpose by ensuring all YOS core business is adequately staffed and resourced to meet the needs of children and young people’

The improvement plan was endorsed by members on 22 July 2015. The wording for recommendation 1f of the Improvement Plan (September 2015 onwards) no longer includes any wording after the word “purpose”.

1. Who authorised the deletion of the wording and why?
2. In view of recommendation 1f and endorsed by members in July 2015, explain why the following YOS posts will no longer be funded from April 2016?
 - a) Seconded CAMHS worker
 - b) Dedicated parenting worker
 - c) Substance misuse worker
 - d) Counsellor

Reply:

1. There was no decision taken to remove the wording referred to on the Improvement Plan. The fact the words are missing from the later versions of the Improvement Plan was an oversight.

However the improvement work carried out at the Youth Offending Service (YOS) since September 2015 has focussed on ensuring that the core business of the YOS is adequately staffed and resourced. The number of casework staff has been maintained despite a reduction in the number of children and young people being referred by the police and the courts. Caseloads at the YOS are lower than in the immediate past in order to ensure sufficient capacity to improve performance and standards

Meeting the needs of children and young people remains a priority for the staff at the YOS. The service now provides a wider range of reparation projects, a wider range of intervention programmes and operates in close partnership with key partners to ensure that the needs of children, young people and their families are met.

A recent mock inspection of the Bromley YOS conducted by the Youth Justice Board (YJB) stated that there was evidence of substantial improvements in the quality of work being undertaken since the HMIP Inspection in 2015.

2. The Bromley YOS has just completed a Consultation process which involved a restructuring of the service as a response to a reduction in the resources available and the need to make it more efficient and effective. These reductions included meeting the savings target set by the Council, a reduction in the Youth Justice grant and a reduction in the financial support provided by health partners. The restructure has resulted in the following changes:

- a) Seconded CAMHS worker.

The Oxleas Mental Health Trust informed the Council that due to a reduction in funding it was no longer able to provide a dedicated CAHMS worker to be seconded to the Bromley YOS.

From April 2016 children and young people known to the YOS who are assessed by a YOS worker as being in need of CAHMS services will be referred to the Bromley Well Being Service which is the single point of access for children's well-being services in Bromley. The effectiveness of this arrangement will be monitored and reviewed by the YOS Management Board.

b) Dedicated parenting worker.

The post of dedicated parenting worker was deleted to meet the reductions in funding to the YOS in the current financial year.

Working with parents remains at the core of the offer to families.. Parents are encouraged to accompany their children to the YOS and all statutory cases involve visits to the home of the young person. If a parent is made subject to a Parenting Order by the Court this will be held and implemented by the Case worker at the YOS.

In addition, families of young people known to the YOS will be referred to the Bromley Family Support Service and Tackling Troubled Families project so that they can access the range of parenting courses available for parents across Bromley. The advantage of this arrangement is that access to these services continues after the young person's order has ceased.

c) Counsellor.

The post of counsellor was deleted to meet the reduction in funding to the YOS in the current financial year.

Going forward, if a child or young person is assessed as being in need of a counselling service, they will be referred to the Bromley Well Being Service for an assessment and service. This arrangement will be monitored.

d) Substance Misuse worker.

The Bromley Clinical Commissioning Group informed the Council that the post of dedicated substance misuse worker at the Bromley YOS will no longer be funded from April 2016.

From April 2016, the local Young People's Substance Misuse Service, "Changes" will provide a dedicated substance misuse worker who will be based at the YOS two days per week.

6. From Cllr Kathy Bance to the Education Portfolio Holder

How can you provide assurance that the Youth Offending Service is 'fit for purpose' in view of the reduction in resources and staff from April 2016?

Reply:

Following the HMIP Inspection of the Bromley YOS in 2015 there followed an in depth review of the services offered to children, young people and their families which resulted in a detailed Improvement Plan being put in place, major staffing changes and increased support provided by key partners.

Progress against this Improvement Plan has been closely scrutinised by the YOS Improvement Board and the YOS Management Board together with regular reports to the Education PDS Committee.

Monthly audits have measured the improvement in direct work with children and young people and an independent mock inspection carried out by the Youth Justice Board took place in March.

Both audits and the mock inspection have provided evidence that progress has been made in improving the quality of work being carried out while regular performance reporting has shown that outcomes for young people have improved.

As with all other Youth Offending Services in London Bromley YOS has had to respond to a reduction in funding from both central Government and the local Council. While this has resulted in the reduction of some services delivered directly by staff based in the YOS, it has not had an impact on the direct work with those young people at risk of offending or those subject to statutory orders. Indeed, current caseloads compare favourably with caseloads over the last two years as referrals to the YOS have reduced.

While some services to young people and their families are no longer provided directly by staff based in the YOS, clear pathways for young people to receive services have been put in place such as those for counselling and substance misuse. The YOS Management Board will be kept informed of the impact on these services throughout the year.

7. From Cllr Peter Fookes to the Chairman of Development Control Committee

How many planning enforcement cases remain outstanding?

Reply:

Enforcement cases outstanding and including current investigations – 728.

8. From Cllr Peter Fookes to the Chairman of Development Control Committee

What progress has been made in the case of enforcement action in respect of 23 Genoa Rd, Penge?

Reply:

Planning permission has been approved DC/16/00225/FULL1 for the Retention of single storey rear extension and access ramp to day nursery (RETROSPECTIVE APPLICATION) decision dated 16th March 2016.

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

When can I expect a reply to my letter to the Chief Planner of 11th February (handed in at the Civic Centre) and the reminder letter of 9th March regarding 2 Southcroft Avenue, West Wickham?

Reply:

A response was sent to Cllr Bennett on 8 April along with an apology for the delay (copy attached – [Appendix 4](#))

10. From Cllr Nicholas Bennett JP to the Portfolio Holder for the Environment

When I can expect a reply on the four points raised with me by residents of Bencurtis Park and sent to the Director on 24th February, with reminder email on March 9th and a further email to the Chief Executive on March 31st?

Reply:

I understand that officers have now responded and apologised for the delay, which I agree was unacceptable.

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

If he will list by ward the number of residential properties which have been empty for more than six months?

Reply:

Unfortunately, the requested information is not available on a ward basis. However, attached as [Appendix 3](#) is the requested data “sorted” by postcode.

The information contained in this response was extracted from the Council Tax database and could possibly be understated as discounts/exemptions are no longer granted in respect of empty homes unless any of the circumstances tabled below apply.

The first column of the Appendix relates to empty properties where the full Council Tax charge is being levied, the second column relates to properties where 1 of the below exemptions apply.

Exemption Class	Description
B	Unoccupied dwelling owned by charities
D	Dwelling left empty by a property who is detained elsewhere

E	Dwelling left empty by a person in hospital or a care home
F	Unoccupied dwelling – liable person deceased. Exemption is for a maximum of 6 months after the date of probate
G	Occupation prohibited by law
H	Unoccupied property held for the occupation of a minister of religion
I	Dwelling left empty by a person needing personal care
J	Dwelling left empty by a person providing personal care
K	Dwelling left unoccupied by a student
L	Unoccupied dwelling where the mortgagee is in possession
O	Property held as accommodation for armed forces
Q	Unoccupied property where liable person is a trustee of bankruptcy
T	Unoccupied annexe to an occupied dwelling

12. From Cllr Tony Owen to the Portfolio Holder for Renewal and Recreation

How are agreements progressing with Biggin Hill Airport relating to the change in operating hours and when is the final version likely to be considered by the Executive?

Reply:

The Council has met with the Airport to outline the various conditions that were required following the Council meeting last November. We are awaiting a final response from the Airport on the conditions and how the potential implementation would happen.

Question 1

**Questions Submitted to full Council since the 2014 Election
(13 meetings, 21/7/14 to 11/4/16)**

Councillor	Written questions since May 2014	Oral questions since May 2014	Estimated Cost to the Council (£)
Allen	7	4	1,144
Arthur	0	0	0
Auld	0	0	0
Ball	0	0	0
Bance	19	14	3,432
Benington	0	0	0
Bennett (N)	30	29	6,136
Bennett (R)	1	2	312
Bosshard	0	0	0
Botting	0	0	0
Boughey	0	0	0
Brooks	11	8	1,976
Buttinger	0	1	104
Carr	0	0	0
Cartwright	0	0	0
Collins	0	0	0
Cooke	0	0	0
Dean	0	0	0
Dunn	21	7	2,912
Dykes	0	0	0
Ellis	0	0	0
Evans	0	0	0
Fawthrop	11	0	1,144
Fookes	23	18	4,264
Fortune	0	0	0
Gray	0	1	104
Harmer (E)	0	0	0
Harmer (W)	0	0	0
Huntington-Thresher (S)	0	0	0
Huntington-Thresher (W)	0	0	0
Jefferys	4	2	624
Joel	0	0	0
Livett	1	6	728
Lymer	0	0	0
Mellor	2	3	520
Michael	0	0	0

Morgan	0	0	0
Nathan	0	0	0
Onslow	0	0	0
Owen	8	15	2,392
Page	0	0	0
Payne	0	0	0
Phillips	0	0	0
Philpott	1	0	104
Pierce	0	1	104
Reddin	0	0	0
Rideout (Ca)	0	0	0
Rideout (Ch)	0	0	0
Rutherford	0	1	104
Scoates	0	0	0
Smith (C)	2	0	208
Smith (D)	0	0	0
Stevens (M)	0	0	0
Stevens (T)	0	0	0
Tickner	0	1	104
Turner	0	0	0
Tunncliffe	0	0	0
Wells	0	0	0
Wilkins	17	14	3,224
Williams	11	0	1,144
TOTAL	168	128	30,784

Question 4 -Trading Standards Underage Sales Work

Appendix 2

The number of test purchases for selling age restricted products in the last five years broken down by year and the number of premises where this resulted in a review of the Premises Licence, also broken down by year.

	2015-16	2014-15	2013-14	2012-13	2011-12
The number of attempts to purchase an age restricted product by volunteers <u>under</u> the age of 18	87	156	121	275	229
Number of sales of an age restricted product to <u>under</u> 18s	9	22	23	41	43
Number of refusals to sell an age restricted product to <u>under</u> 18s	78	134	98	234	186
% compliance	89.6%	85.8%	80.9%	85%	81%
Number of attempts to purchase an age restricted product by volunteers <u>over</u> 18 without ID in order to test Challenge 25 policy	71	98	98	Not tested	Not tested
Number of sales of an age restricted product to <u>over</u> 18s without ID	28	33	27	Not tested	Not tested
Number of refusals to sell an age restricted product to <u>over</u> 18s without ID	43	65	71	Not tested	Not tested
Number of licence reviews	1 Costcutter, Elmers End	0	3 Jerry's Penge; Kent House off licence Beckenham; Swarmi News Penge	0	4 Food Store Orp; Newlands News Penge; Nisa Local Penge; Shahs Bromley

Appendix 3
(Question 11 – Empty properties)

Post Code	Full Liability - number	Exemption/Discount - number
BR1 1	16	4
BR1 2	25	12
BR1 3	43	20
BR1 4	28	8
BR1 5	5	4
BR2 0	28	22
BR2 6	4	8
BR2 7	12	9
BR2 8	22	21
BR2 9	33	8
BR3 1	42	9
BR3 3	28	11
BR3 4	47	22
BR3 5	17	9
BR3 6	12	16
BR4 0	16	14
BR4 9	21	13
BR5 1	16	12
BR5 2	20	10
BR5 3	32	6
BR5 4	20	11
BR6 0	48	20
BR6 6	14	9
BR6 7	22	12
BR6 8	12	21
BR6 9	45	14
BR7 5	19	13
BR7 6	22	13
DA14 5	2	1
SE19 2	23	4

SE20 7	60	12
SE20 8	55	9
SE26 5	15	5
SE26 6	9	3
SE9 4	23	8
TN14 7	4	2
TN16 2	1	1
TN16 3	16	15
Total	877	411



Town Planning

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Your Reference:

Our Reference: nq/jk

8 April 2016

Dear Cllr Bennett,

RE: 2 Southcroft Avenue, West Wickham

Thank you for your letters of 9th March and 11th February (attaching a letter from your constituent Mr Rowe). I apologise for the delay in responding to you.

This site was investigated in late 2014 and again in 2016, by the Planning Enforcement Team. In particular, the breach of any planning controls or the potential for an Untidy Notice was considered. The conclusion to date is that there is not a breach of planning control and that the site does not merit an Untidy Site Notice. However, the case has not been closed and investigations will continue with a view to reaching a solution.

Turning to the specific points raised by Mr Rowe.

1. How has the operation got to this unacceptable impasse during a housing shortage?

The site is under private development and it is open to the developer to judge his response to the housing market.

2. Is anyone taking action to bring the matter to a proper conclusion?

A breach of planning control has not been identified. However, the case has not been closed.

3. When may we see the house finished, properly fenced?

We do not control the rate of development; it is a matter for the landowner.

4. When will the Public Footpath be restored to its original, tidy condition?

We are not aware of an infringement of the public footpath. The adjacent temporary fencing is needed to secure the site.

5. Who looks after the Oaktree and its paddock?

This is the responsibility of the landowner.

I apologise again for the delay, please contact me with any further questions.

Yours sincerely,

Jim Kehoe
Chief Planner

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