

LONDON BOROUGH OF BROMLEY

MINUTES

of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 11 December 2017

Present:

**The Worshipful the Mayor
Councillor Kathy Bance MBE**

Councillors

Vanessa Allen	Simon Fawthrop	Ian F. Payne
Graham Arthur	Hannah Gray	Sarah Phillips
Douglas Auld	Ellie Harmer	Tom Philpott
Julian Benington	Will Harmer	Chris Pierce
Nicholas Bennett J.P.	Samaris Huntington-	Neil Reddin FCCA
Ruth Bennett	Thresher	Michael Rutherford
Eric Bosshard	William Huntington-	Colin Smith
Kim Botting FRSA	Thresher	Diane Smith
Katy Boughey	Charles Joel	Melanie Stevens
Lydia Buttinger	David Livett	Tim Stevens
Stephen Carr	Kate Lymer	Michael Tickner
David Cartwright QFSM	Russell Mellor	Michael Turner
Alan Collins	Alexa Michael	Stephen Wells
Mary Cooke	Peter Morgan	Angela Wilkins
Ian Dunn	Terence Nathan	
Judi Ellis	Tony Owen	
Robert Evans	Angela Page	

The meeting was opened with prayers

In the Chair
The Mayor
Councillor Kathy Bance MBE

54 Apologies for absence

Apologies for absence were received from Councillors Kevin Brooks, Peter Dean, Nicky Dykes, Peter Fookes, David Jefferys, Keith Onslow, Catherine Rideout, Charles Rideout, Teresa Te, Pauline Tunnicliffe and Richard Williams.

Apologies for late arrival were received from Councillors Lydia Buttinger and Tom Philpott.

55 Declarations of Interest

Councillor Peter Morgan declared in relation to the Budget report that his daughter worked for the Council's contractor, Kier.

56 To confirm the Minutes of the meeting of the special and ordinary meetings of the Council held on 25th September 2017

Councillor Peter Morgan explained in relation to question 5 in Appendix A to the minutes of the ordinary meeting on 25th September 2017 that the questioner, Dr Brian Philp, had asked him to apologise for the use of the word "devious" in describing the question, and he did so accordingly. He explained that he should not have used the word "devious" meaning "roundabout", when he should perhaps have stated that the question contained a direct assertion that the Council was responsible for the destruction of heritage buildings at The Rookery, St Mary Cray and High Elms, an assertion that he strongly resented.

RESOLVED that the minutes of the special meeting and the ordinary meeting on 25th September 2017 be confirmed.

57 Petitions

No petitions had been received.

58 Questions from members of the public where notice has been given

Twenty two questions had been received from members of the public for oral reply. These are set out, with the answers given, in Appendix A to these minutes.

Nine questions had been received from members of the public for written reply. These are set out, with the answers given, in Appendix B to these minutes.

59 Questions for oral reply from Members of the Council where notice has been given

Seventeen questions had been received for oral reply from members of the Council. These are set out, with the answers given, in Appendix C to these minutes.

60 Questions for written reply from Members of the Council where notice has been given

Eight questions had been received for written reply from Members of the Council.

These are set out, with the answers given, in Appendix D to these minutes.

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

No statements were made.

62 Council Tax Support/Reduction Scheme 2018/19
Report CSD17163

A motion to approve the amended recommendations from the Executive to consider the responses to the public consultation exercise and the updated Impact assessment; adopt the proposed Council tax support/reduction Scheme for 2018/19 retaining the calculation of entitlement of working age claimants on 75% of the household's Council Tax liability (thereby the maximum assistance provided to a claimant of working age is 75% of his/her Council Tax liability) and maintaining the hardship fund budget at £100k; and agree to allow the Director of Finance to vary the scheme to incorporate any changes that have been made to the Housing Benefit Regulations (per section 3.2.2 of report to Executive) and any subsequent revisions to these specific Regulations, subject to a report being brought back to Council advising of any changes made, was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED**.

63 Budget Monitoring 2017/18
Report CSD17172

A motion to agree that a sum of £3.5m be transferred from Central Contingency to the Investment Fund was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED**.

64 Treasury Management - Quarter 2 Performance 2017/18 and Mid-Year Review
Report CSD17174

A motion to note the report and approve changes to the 2017/18 prudential regulators as set out in Annex B1 of the report, and approve the increase in limit to £100m for pooled funds/collective investment vehicles as set out in section 3.5.2 of the report was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED**.

65 Scheme of Delegation - Public Protection and Safety Portfolio
Report CSD17161

A motion to approve the updated Delegations to Officers in respect of non-executive functions, and to note the updated Delegations to Officers in respect of executive functions, relating to the Public Protection and Safety Portfolio, was moved by Councillor Ian F. Payne, seconded by Councillor Stephen Wells and **CARRIED**.

66 Councillor Attendance
Report CSD17171

A motion to approve the non-attendance at meetings under Section 85 of the Local Government Act 1972 of Councillor Richard Williams on the grounds of ill-health until the end of the municipal year was moved by Councillor Angela Wilkins, seconded by Councillor Ian Dunn and **CARRIED**.

All Members sent their best wishes to Councillor Williams.

67 To consider Motions of which notice has been given

No motions had been received.

68 The Mayor's announcements and communications

The Mayor reported that she had attended the inauguration of the Mayor of Neuwied, Jan Einig, in November. It had been a wonderful occasion and she had been honoured to be asked to speak at the ceremony. The Lord Mayor had said that he was very pleased with the current Twinning schemes, particularly the BYMT involvement but that he would also like to see the partnership grow in other areas in the future. The Mayor suggested that there could be opportunities in the sports and business areas of our communities that could be pursued.

The quiz and karaoke evening on 28th October at Melvin Hall had been well-attended and raised over £500 for the Mayor's charities.

The dinner dance on the 18th November had been a lovely evening, with excellent food and a superb performance by the band, The Hitmen. The Mayor was a little disappointed that it was not as well attended as she would have hoped, but she was extremely grateful to those councillors who did support this event.

The annual quiz evening was scheduled for Friday 9th February – the Mayor reported that it was hoped that the menu could be changed on this occasion.

On Thursday 22nd March the Mayor would be hosting a dinner at the House of Commons in the Churchill Room. Further information would follow in due course.

The Mayor thanked Members for their support wished everyone a happy and joyful Christmas and a healthy and peaceful New Year.

69 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 item 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 summary
refers to matters
involving exempt information**

**70 Opportunity Site G Development Programme
Report CSD17162**

A motion to approve the recommendations of the Executive in respect of the Opportunity Site G development Programme was moved by Councillor Peter Morgan, seconded by councillor Colin Smith and **CARRIED**.

The Meeting ended at 8.52 pm

Mayor

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COUNCIL MEETING

11th DECEMBER 2017

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

**1. From Anna Martin to the Chairman of Development Control Committee
(answered by the Leader of the Council)**

Vodafone have estimated that the highest emissions from the mast (adjacent to St Mary's Church, Shortlands) will be 9.51v/m at 10 metres away – the same distance as the pre-school. The World Health Organisation has described waves as “possibly carcinogenic”. German studies show adverse health effects at 0.06v/m. How are the children going to be protected?

Reply:

The Leader explained that he was substituting for Councillor Dean, and also stated that he was no great fan of telecommunications masts.

Telecommunications operators benefit from statutory undertaker status which means that they are able install equipment within the public highway network without seeking any specific approval from the Highway Authority. The only approval required from the Council is planning approval for certain development. In this case planning permission was sought and granted under reference 16/03842/FULL5. The National Planning Policy Framework

<https://www.gov.uk/government/publications/national-planning-policy-framework--2> sets out at Section 5 national policy which the Council is required to follow when making planning application decisions for telecommunications development. Specifically, paragraph 46 states: “*Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure.*” Therefore where certification is provided of International Commission for Non-Ionizing Radiation Protection guidelines, it would not be reasonable for the Local Planning Authority to refuse planning permission on the basis of health concerns. In answer to the question posed, the Council does not have any further powers to prevent the development on the basis of harm to health.

Some might find that a great shame, including myself, but we are bound by the law.

Supplementary Questions:

Will shielding be used within the pre-school and the church for the children, given the World Health Organisation are concerned about the possible effects of this form of electro-magnetic radiation?

Reply:

I do not have that technical information to hand. Where there are safety concerns they would have been taken into account at the planning stage, so I suspect not. I will ask Councillor Dean to follow that up and provide a written record for the minutes of the meeting.

2. From Dave Wibberley to the Environment Portfolio Holder

Is the Portfolio Holder aware of the residents' concerns about road safety along Village Way in Beckenham?

Reply:

I am very aware of the ongoing concern of local residents about road safety in Village Way. The Council has a proven approach to how it invests in road safety schemes, with funding being prioritised at accident cluster locations on the basis of where the lowest spend is likely to yield the greatest road benefit.

The Council has looked very carefully at the situation in Village Way several times in recent years and concluded statistically, in terms of accidents, injuries and speeding, that Village Way does not stand out as being a 'dangerous' road – i.e. any different to the majority of other roads in the borough.

A zebra crossing has previously been considered, but the volume of pedestrian footfall, overall and at any particular location, was not high enough to justify it, nor could a suitable location be readily established.

The Council has previously conducted speed surveys in Village Way which did not give cause for particular concern. Nevertheless, we are keeping this whole matter under close review, which is why we have commissioned a new speed survey to assess current speeds, with potentially increased numbers of younger pupils crossing Village Way introducing a new dynamic.

More generally, please be assured that the Council recognises the importance of road safety and has worked with residents, schools, pupils and parents more generally across the Borough over many years to improve road safety. This has included identifying new pedestrian routes and safe crossing points for them. The work of our Road Safety Team has received national recognition over the years and our commitment to this important cause remains undimmed.

In light of the recent comments by the Head of Harris Academy Beckenham, I was surprised that the Primary School does not yet have a School Travel Plan. I have recently written to Harris Academy Beckenham to ask them to develop a School Travel Plan with our support if necessary, and for their support in improving road safety and developing school travel routes for their pupils. This could, for example, include a School Crossing Patrol.

The Council is committed to liaising closely with all schools through the travel plans process, through which safer routes to schools are developed. This does of course rely on the schools' cooperation and support.

Supplementary Questions:

What data does the Council use to inform its decisions on road safety?

Reply:

The Council uses underlying reference data captured across the Borough. In this particular case, we will do speed surveys and we will do counts of individuals crossing the road. We will look at several locations, and depending on the type of road, this could be for 24 hours or for a week. We will particularly look, in this case, at school pupils crossing the road and obviously it will be done in school times and at

particular times when children are likely to be crossing the road, rather than at any other time.

3. From Pam Remon to the Care Services Portfolio Holder

Bromley Council are in the process of accepting the South East London (SEL) Sustainable Transformation Plan (STP). All over the country councils are refusing to accept STPs. STPs are closing A&Es in many parts of the country (from 140 to 70 or 40) Can the Council ensure that closures will not occur in SEL?

Reply:

I'm afraid that no Council across SEL can honestly offer that assurance, as any decision is simply not within a Council's gift to make.

What I can tell you with absolute certainty is that I have had first hand assurance from the Chief Officer of Bromley CCG, that there are no plans within the SEL STP for the closure of an A&E Department.

Supplementary Questions:

Are the Councillors aware that STPs are part of an overall process which will eventually lead to the Accountable Care Organisations (ACOs) where large corporations are preparing to take over the NHS and implement an insurance based health system based on the US model? Will the Council investigate these charges before accepting the SEL STP and ACO?

Reply:

Yes, I am very aware of the Accountable Care Systems. As far as I am aware, there are no privatisations associated with those organisations. What I can say is that the Council works very closely with the CCG, I attend their Governance Board meetings and they regularly attend the Health Overview and Scrutiny Committee and Health and Wellbeing Board. At the last meeting in November the chief officer of the CCG provided a brief verbal update on the SEL STP and we are expecting a fuller briefing at the Health Overview and Scrutiny Committee on 6th March which I suggest that you attend.

4. From Dermot Mckibbin to the Resources Portfolio Holder

What is the lawful authority for the voter ID pilot in Bromley and when will the Council publish details of this legal advice?

Reply:

We are limited on what we can say or disclose (especially with regard to the forms of ID) until the Minister for the Cabinet Office has signed off the Pilot Order, which is expected by the end of this month.

A Statutory Instrument will be made in accordance with section 10(1) of the Representation of the People Act 2000 to be signed off by the Minister for the Cabinet Office following consultation with the Electoral Commission, authorising the pilot. This is expected by the end of December and is sufficient lawful authority for the pilot.

Supplementary Questions:

Is it not a shambles that the Council is proceeding on the basis of this scheme when there has been no consultation with Parliament, the major political parties or the public? Is it not likely that if and when this issue comes to court, as indeed it will, through some crowd-funding scheme as has occurred in America, the courts will look very unfavourably on a scheme whereby people end up being deprived of their right to vote. Will the Council take legal advice on this matter and publish that legal advice.

Reply:

The Council takes legal advice on all matters, it is certainly taking advice on these matters, and at the appropriate time all will be published. Not until the final Order has been signed will it be appropriate to comment.

5. From Marie Bardsley to the Resources Portfolio Holder (as Ms Bardsley was not present a written reply would be sent)

With regard to the trial of Voter ID in the local elections, what is the Council's campaign for consulting voters and promoting the scheme?

Reply:

It is essential there is excellent communication with voters if the change is made. The Council is working with the Cabinet Office and the Electoral Commission to produce a communications plan which will deliver a tailored and comprehensive awareness raising campaign to encourage eligible voters to bring ID to the polling station.

6. From Naresh Chauhan to the Resources Portfolio Holder

Why is the Council conducting a voting ID pilot when both the Council and Electoral Commission agree that there is no electoral fraud in the borough?

Reply:

There is clearly the potential for electoral fraud in the systems we have and the Electoral Commission has made it clear that it wants to see the introduction of Voter ID as a priority.

The opportunity to pilot Voter ID was offered on a number of occasions to all local authorities in Great Britain. Change will be coming anyway and being a pilot authority will give Bromley additional funding to implement and publicise the changes.

The pilot scheme should strengthen electoral integrity and enhance public confidence at the elections in Bromley in May 2018.

Supplementary Questions:

Will the Council make sure that the Voter ID changes will be well-publicised and that everybody is informed of these changes? Why was there no consultation if this is so important?

Reply:

The answer to the first part of the question is yes. The second part is that I will be giving details in response to another question later on.

Additional Supplementary Question:

Councillor Simon Fawthrop asked whether the Portfolio Holder agreed that even if one person's vote was defrauded that was one vote too many.

Reply:

Yes.

(The Mayor pointed out that the time allowed for public questions had been reached, but Council agreed to continue for a further ten minutes.)

7. From Rich Wilsher to the Environment Portfolio Holder

Does the Council agree that incidents of fly-tipping are on the rise in some areas of the borough – on Worsley Bridge Rd and Copers Cope Rd in Beckenham, for example - and can the Council outline steps which will be taken to reduce this blight on our communities?

Reply:

There has been an increase in the number of reports from 5 in 2015 to 13 in 2017 in the areas of Worsley Bridge Road and Copers Cope Road, but this is not felt to be statistically valid to warrant a particular concern in this area as opposed to across the borough.

However, I would add that -

- Two incidents of fly tipping that occurred on Worsley Bridge Road on 29/11 and 2/12 were both witnessed and statements have been provided by the witnesses giving details of the vehicles involved. These are being followed up.
- Fly tipping prevention signs are going in this week.
- A bid for temporary covert CCTV is in the process of being submitted for consideration. A surveillance application will be put forward for approval at Bromley Magistrates Court should that bid be successful.
- I have also asked Ward Security to provide a quote to provide mobile security fly tipping patrols across the Borough's fly tipping hotspots.

In the Council questions there is a bit more detail in terms of the number of prosecutions and the number of Fixed Penalty Notices issued for fly tipping.

Supplementary Questions:

What steps will the Council take to alleviate the concerns of many residents who, specifically, feel that one reason for fly-tipping is the overly complex and over-priced bulky household item removal service that is provided by Bromley Council?

Reply:

The Council does not believe the service is over-priced. Personally, I do not believe that most of the people who look at fly-tipping visit the Council website to find out what the price would be. I do not think this is the cause of fly-tipping - I suspect most

of these people realise that it is not that expensive and do it out of ease or for other reasons.

8. From Alison Davis to the Environment Portfolio Holder (as Ms Davis was not present a written reply would be sent)

What assessment did the Council undertake of the travel-to-school routes, prior to the expansion of the Harris Academy Beckenham and the development of the Harris Primary Academy Beckenham on the same site?

Reply:

Before any new school opens, the Council gives consideration to the likely impact on transport links in the vicinity, through a Transport Assessment, one of which was conducted for Harris Academy Beckenham. Some measures will obviously be needed to support the safe travel of pupils to and from the school, such as school keep clear zigzags outside a school gate. Other measures are considered at a later stage, once travel patterns have been observed.

Despite the Council being able to access postcode data for school pupils to see likely journey routes, the Council cannot predict with certainty how parents will choose to get their children to school. The Council is committed to liaising closely with the school, through the Travel Plans process, through which safer routes to school are developed. This of course relies on the school's co-operation and support and I have recently written to Harris Academy Beckenham to ask them for their support in improving road safety and developing travel routes for their pupils.

9. From Adam Bambrough to the Environment Portfolio Holder (as Mr Bambrough was not present a written reply would be sent)

There is a 1300+ local petition for a safe crossing at the junction of Village Way and Whitmore Road – are the Council reassessing road safety on Village Way with regard to a pedestrian crossing being installed on this junction?

Reply:

I refer to my previous answers and would add the Council regularly reviews roads across the borough where evidence is available to suggest there is a safety issue.

The Council is undertaking counts and surveys to see what type of crossing facility, if any, would be suitable for Village Way, in the vicinity of Whitmore Road. Crossing facilities can only be installed where they are safe and will not be likely to actually lead to collisions. For example, it is not best practice to install a zebra crossing in a location where it will be little used for much of the day and where drivers may start to ignore its presence. Sight lines for drivers and pedestrians must also be sufficient and turning movements must be considered.

10. From Julie Ireland to the Environment Portfolio Holder

La Fontaine Academy will be relocating to the Widmore Centre next month. This site is adjacent to 2 other primary schools and roads are already very congested around school dropping off times. La Fontaine currently has a large catchment so many parents will drive their children to school and this will ultimately be a large 3 form entry school for 630 pupils. Despite repeated requests the Council has to date

refused to procure and implement its own travel plan. Will the Council reconsider their stance on this as a matter of urgency?

Reply:

The Council does not plan where new schools will be located in the borough and cannot dictate to schools how they operate. There is therefore no point in the Council producing its own Travel Plan independently of the school. The Council's Schools Travel Advice Officer has actively engaged with La Fontaine and has been doing so for many months in respect of offering advice for their travel planning and for their relocation to Nightingale Lane.

As I have mentioned previously tonight in respect of Harris Beckenham, it is the developer's and school's responsibility to produce Transport assessments as part of the planning process and a School Travel Plan once occupied. The Council's School Travel Advisor is actively engaged with La Fontaine and has been for many months, in respect offering advice for their travel planning for their relocation to Nightingale Lane. The Council has also had a number of meetings with the developer in regard to the site and the developer has produced a Travel Plan.

Subsequent to this, the Leader of the Council supported by Ward Members, the Chairman of the local residents association and the Head of the Council's Road Safety Team has met with the head teachers of all three schools in this area: St Georges, Bickley Primary and La Fontaine and representatives from the EFA and their contractor, Kier in an attempt to instil some pace into the latter's processes.

Measures are being implemented in Nightingale Lane to aid traffic flow and the Council will reassess the traffic and pedestrian situation once La Fontaine occupies their new site in February next year, as part of the ongoing Travel Plans process.

Supplementary Questions:

Do you not think that the whole issue of congestion around these pinch-points would be eased if the Council gave some thought to a broader policy for encouraging travel to school by any other means than by car, and I wondered what action you are taking about that?

Reply:

Unfortunately there is very little that we can do to require parents, teachers or anyone else to make a particular journey in any particular way. We engage with the schools, through the Travel Planning process, to get them engaged with parents, teachers and pupils to try to encourage them to work with their pupils to get the most healthy and least congested method to access the school.

11. From Anna Martin to the Chairman of Development Control Committee (answered by the Leader of the Council)

Please can you explain why we did not receive postal information of the Vodafone mast at St Mary's Church, thus giving us the chance to challenge the application? We received postal information on the new school in Kingswood Road which is further away from our house than the mast development site.

Reply:

In this case a number of local residential properties were notified of the application by letter, a press notice was published and a site notice displayed, which exceeded the

statutory publicity requirements for this type of planning application and accorded with the Council's published approach to publicity for planning applications.

Supplementary Questions:

We are only seven houses away from the mast and we did not receive any information about the mast.

Reply:

I do genuinely understand the frustration but the argument as always with who do you notify is if you do seven houses, why not eight, and if you do eight, why not do ten. The policy is structured that really directly adjacent residences are contacted with the theory that if there is a major problem it affects them most and indeed, if there is cause for concern they will spread word from the site outwards to affected residents. I do believe that a number of residents associations get the lists for these planning applications and scan them pro-actively just in case they see an application of concern that they wish to object to.

12. From Pam Remon to the Resources Portfolio Holder

In connection with the local elections and Bromley piloting photo ID at voting stations. Will the Council Keep a record of those people who are denied the right to vote?

Reply:

The pilot order will specify the data to be collected at the polling stations in respect of the production of Voter ID. Both the Cabinet Office and the Electoral Commission will undertake full evaluations of the pilots.

We recognise the point being made, but unfortunately we cannot give any specific details until the Order is made.

Supplementary Questions:

Can Councillor Arthur take note that there will be a lot of people who do not have a passport, a driving licence or a freedom pass? As long as you take that into account – what other voter ID will be acceptable?

Reply:

The point is very well made and we do not wish to deprive anybody of their right to vote purely because they could not provide a certain type of evidence. The Returning Officer is very well aware of this and we will have conversations in order to ensure that everybody who should vote can vote. I think that the principles of the pilots have been well-established through lots of different things such as Universal Credit and the fact that we are being chosen to pilot this I am very proud of. I think it is because it builds on our very good turnout record and our very good record at elections – we have a fine record in the borough for how we deal with elections. There is also an interesting point about the demographics of Bromley that makes it particularly interesting to hold it here. Once we get it right, and the other pilots get it right, they will be informing people how they can take this forward across the country. One of the things we will certainly be looking at is the type of evidence that is being produced and making sure that it does not prohibit people from voting who should.

Additional Supplementary Question:

Councillor Nicholas Bennett asked whether the Portfolio Holder was aware that in one part of the United Kingdom, Northern Ireland, voter ID already existed? There

were seven forms of ID which were accepted, and one of them was a free ID card issued by the Northern Ireland Government to anyone who did not have any other form of photo ID.

Reply:

It is a point well-made and certainly Northern Ireland's experience is being drawn heavily upon. You may recall that when you were a little lad you had an identity card, given to you at birth. Those disappeared over time but, whilst I do accept that there are great sensitivities about carrying identification I do think that it is a perfectly sensible pre-requisite of voting at a polling station that you establish who you are.

(At this point the Mayor ended Public question Time and the following questions received written answers.)

13. From Dermot Mckibbin to the Resources Portfolio Holder

Does the Council know how many local people in the borough who are entitled to a vote but are not on the electoral roll? What is the Council doing to encourage people to register to vote?

Reply:

We have recently completed the annual canvass and published the new register with 96.80% of households in the Borough providing the necessary information.

If the Order is made the publicity campaign to encourage eligible voters to bring ID to the polling station at the 2018 local elections, will increase awareness of the need to register to vote and will raise awareness considerably. As mentioned, the number of registered electors increases as we get closer to an election.

14. From Naresh Chauhan to the Resources Portfolio Holder

Why has there been no consultation with the public or all the political parties in the borough?

Reply:

Ultimately the Minister will decide with the authority of the Government whether or not to make the Order and there is no requirement to consult. Responsibility for most electoral matters is vested in the Returning Officer who has covered the proposed Pilot in public reports to councillors and who has received representations from local political parties.

**15. From Alison Davis to the Environment Portfolio Holder
(Ms Davis is not now attending)**

What grant applications has the Council made to Transport for London in the last three financial years?

Reply:

Although not all actual grants, over the last three years the Council has received from TfL funding for the following:

Corridors (e.g. congestion, cycling and road safety schemes);
Bus priority routes;

Bus stop accessibility;
Bridge maintenance;
Principal road maintenance;
Major schemes (e.g. Beckenham Town Centre);
Cycling on greenways;
Borough cycling programme;
Local Transport Priorities (e.g. supporting school crossing patrols);
Incubator fund (to look at new traffic management technologies).

16. From Adam Bambrough to the Environment Portfolio Holder

How do Bromley Council use KSI (killed or seriously injured data) to determine whether road safety interventions are needed?

Reply:

Funds for road safety schemes are obtained from TfL and spend is prioritised on the basis of whether the funds will maximise the reduction of injury accidents, particularly serious and fatal accidents.

After successful interventions the number of serious accidents at any one location has decreased markedly over the years. The current method of selecting sites involves finding clusters of similar accidents of any severity (sites with five or more accidents within a circle of 50m diameter, over 36 months), ranking these clusters by severity, and then choosing potentially treatable sites.

Road safety engineers will not always be able to identify a cost effective solution, but where there is an apparent cause of the collisions and a solution can be identified, the Council will take action on a priority basis.

It should be noted that some measures that could be seen to have road safety benefits, such as zebra crossings for instance, are not always installed as a result of accident data, but might be used to make improvements to a well-used walking route.

17. From Julie Ireland to the Environment Portfolio Holder

Has the Council made a conscious policy decision to remove street litter bins from around the town centre? An example is the end of Palace View near the Kentish way underpass where lamp post litter bins seem to have been removed resulting in litter scattered all over the street. Surely there is a proven need for such bins of sufficient capacity and regularly emptied within a 10 minute walk of the town centre?

Reply:

No it has not.

In the case of the bin formerly sited on Palace View adjacent to the underpass, I am advised by the Leader of the Council that it was removed approximately 4 years ago following a repeated spate of domestic waste and other miscellaneous non-litter being dumped in it, causing the bin to continually overflow.

Following a conversation between the Leader and the Chairman of the local Residents' Association the bin was removed as a possible remedy to help improve cleanliness locally and it has worked. Since its removal the tidiness of the area has improved considerably.

I would add this area is monitored almost daily by several Members, myself included, to ensure that remains the case.

18. From Anna Martin to the Chairman of Development Control Committee

It is reported that the value of houses located within 100 metres of a phone mast can drop by 25 percent. In such an instance, will Bromley Council compensate residents for this loss in value?

Reply:

Government advice makes clear that planning decisions must be made in accordance with material planning considerations. As set out in government advice in the National Planning Policy Guidance website (paragraph 008 at <https://www.gov.uk/guidance/determining-a-planning-application#how-decisions-on-applications>) *“The scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.”* As the development is not being carried out by the Council, and the possible loss of value is not something that can be considered as part of the planning decision, there is no reason for the Council to be liable to pay compensation for any identifiable reason.

19. From Pam Remon to the Resources Portfolio Holder

Will the Council explain why there has been no equalities impact assessment report into this new policy and will this report be published before Christmas?

Reply:

An equality impact assessment has been produced and submitted to Cabinet Office. We will publish once it is signed off.

20. From Naresh Chauhan to the Resources Portfolio Holder

How is the Council going to ensure that the Voter ID requirements are well publicised so the voting public are well informed of the changes?

Reply:

Please see the answer to question 5 above.

21. From Alison Davis to the Care Services Portfolio Holder (answered by the Resources Portfolio Holder)

Whereabouts in the country are the 400 “More Homes Bromley” properties that Bromley Council bought in partnership with Mears Ltd?

Reply:

In order to secure a sufficient supply of accommodation it is necessary to purchase homes both inside and outside of the borough within the South East. Homes purchased are within a maximum of 1.5 hours travel from Bromley in line with the

approved temporary accommodation placement policy. Properties have to date been purchased in the following areas:

Bromley
Canterbury
Chatham
Dartford
Gillingham
Maidstone
Medway
Swale

The bulk of properties are currently located in Bromley and Swale.

22. From Adam Bambrough to the Environment Portfolio Holder

How do the Council intend to gather and assess qualitative information about the pedestrian and driver experiences of Village Way and how much weight will be given to these when deciding whether to add traffic control systems?

Reply:

I refer to my previous answers regarding new surveys. In addition I would add, Council officers and Members have previously met with residents to discuss concerns about safety in Village Way and the Council is aware of the concerns raised in the current petition. Travel Plans are also a useful tool in identifying the experiences of pupils and parents at nearby schools.

When considering interventions, priority is given to casualty reduction schemes, where the Council believes that the most accidents can be prevented through the investment of the limited taxpayer resources. However, funding is also used to help facilitate road users to travel by the mode they choose to, so if there is an obstacle to walking or a blight to residents' lives caused by speeding, low cost interventions are considered. This might include the installation of a pedestrian refuge, zebra crossing or vehicle-activated signs.

COUNCIL MEETING

11TH DECEMBER 2017

**QUESTIONS FROM MEMBERS OF THE PUBLIC
FOR WRITTEN REPLY**

1. From Colin Willetts to the Environment Portfolio Holder

With regard to our question 15/11/17(Alley adjacent 45 Ravensbury Road), (i) who is the private landowner & what appropriate action will be taken by officers? (ii) what is the outcome of Ward Councillors barrier consultation? & (iii) could you chase branch cutback outstanding since 17/9/11 CRM 140711?

Reply:

(i) Officers are investigating ownership status of the land in question as it is not clear from the land registry search. Once ownership is confirmed then the appropriate action will be taken to deal with overhanging vegetation.

(ii) The consultation is ongoing.

(iii) I have, enforcement is ongoing, if necessary, the Council will consider cutting back the branches and charging the land owner.

2. From Colin Willetts to the Environment Portfolio Holder

With regard to our question 15/11/17(outside 297 Chipperfield Road), bearing in mind this is an existing bus zone there will be no impact on car parking by replacing this short section of grass over to additional tarmac hard standing thus guaranteeing residents 'sure footing' to access bus services in safety, could you tell us if there is any update/progression on your site investigation?

Reply:

Traffic engineers have designed an improved bus stop facility for this location and consultation with Ward Members has been undertaken. Public consultation on the proposed improvements will commence shortly.

3. From Colin Willetts to the Environment Portfolio Holder

Could the Portfolio Holder tell us how many environmental reports have been submitted to the CSC agent over the past year by (i) Cllr Ellis, (ii) Cllr Livett, (iii) Cllr Nathan & (iv) Colin Willetts.

Reply:

1/12/16 to 30/11/17 via CSC only (FMS in brackets) – figures from CONFIRM

Cllr Judi Ellis – 0 reports (0 reports via FMS)

Cllr David Livett – 0 reports (5 reports via FMS)

Cllr Terence Nathan – 0 reports (1 report via FMS)

Colin Willetts – 220 reports (0 reports via FMS)

4. From Rich Wilsher to the Environment Portfolio Holder

In March this year the Council heard a petition to install a pedestrian crossing on Copers Cope Road, Beckenham. Despite clearly evidencing the need for a crossing on based on both TFL and Bromley Council criteria, the petition was refused and island refuges installed instead. In doing so the Council stated that as a matter of course the situation would be reviewed again in 6 months' time. Can the Council publish the nature, extent and results of that review?

Reply:

Since the installation of the refuges on Copers Cope Road near to Park Road and near to Bridge Road, the Council has received no further complaints from road users. However, as the forthcoming Quietway cycle route from Bromley to Lower Sydenham is proposed to use Park Road and Copers Cope Road, consideration is being given to the possible introduction of an improved crossing facility on Copers Cope Road near to Park Road, although I cannot say at this stage if that will prove to be appropriate.

5. From Sam Webber to the Environment Portfolio Holder

Is there still a registered owner of grave number 2017 at Chislehurst Cemetery for Captain George Allan Maling VC (died in 1929) or have the burial rights for this plot now expired?

Reply:

Yes, there is still a registered owner of grave number A2017 (note correct grave number) for Captain George Allan Maling VC. The registered owner of the grave is Daisy Mabel Maling (Widow).

6. From Sam Webber to the Environment Portfolio Holder

Would LBB and idverde consider transferring rights for this grave to the charity the Victoria Cross Trust, which wishes to clean and protect the headstone and improve the lettering on it, to protect it for future generations? I have been in touch with Gary Stapleton, Chairman of the Trust on this matter.

Reply:

The grave was bought in perpetuity therefore only the registered owner has the right to transfer the grave. If the registered owner is deceased the grave must transfer via their estate. The London Probate Department can provide details of the executor of the estate.

7. From Sam Webber to the Environment Portfolio Holder

Given only two holders of the Victoria Cross are buried in the borough (also CSM George Evans in Beckenham Cemetery, Elmers End) would the appropriate authorities consider erecting a small plaque or sign to mark the grave of Captain Maling VC in Chislehurst Cemetery to inform visitors about his life and military service?

Reply:

I confirm that we will give this matter some consideration subject to available budgets and practicalities.

8. From Ian Catchpole to the Public Protection and Safety Portfolio Holder

Could the Portfolio Holder for Public Protection and Safety provide -

(i) the police numbers allocated to Bromley

(ii) the Safer Neighbourhood team staffing levels

for each ward in the borough at 1 December 2016 and 1 December 2017?

Reply:

Safer Neighbourhoods in Dec 2016 were: 1 Inspector, 4 Sergeants, 33 Constables and 32 PCSO's.

Safer Neighbourhoods in Dec 2017: 1 Inspector, 8 Sergeants, 48 Constables and 32 PCSO's.

Current Bromley police numbers as of Nov 2017 are 442 police officers, the December data is not available yet.

9. From Dermot Mckibbin to the Resources Portfolio Holder

How many people are registered on the electoral roll in each of the three full constituencies and the partial constituency in the borough for each of the previous four years? Please show these figures by each ward for the past 4 years.

Reply:

The number of registered elector varies throughout the year – the attached figures are as at the publication of the new register on 1 December. However, the figures do increase in the weeks leading up to an election. (See appendix 1 below)

Constituency	Ward	01/12/2014	01/12/2015	01/12/2016	01/12/2017
Beckenham	Bromley Common & Keston	12154	12265	12635	12745
	Copers Cope	12017	12057	12452	12466
	Hayes & Coney Hall	12601	12384	12700	12726
	Kelsey & Eden Park	12327	12217	12410	12468
	Shortlands	7705	7506	7792	7781
	West Wickham	12072	11917	11992	12126
	TOTAL	68876	68346	69981	70312
Bromley & Chislehurst	Bickley	11745	11474	11751	11758
	Bromley Town	12866	12587	13221	13331
	Chislehurst	11959	11865	12202	12120
	Cray Valley West	12144	11941	12018	12221
	Mottingham & Chislehurst North	7358	7149	7289	7317
	Plaistow & Sundridge	11485	11338	11537	11683
	TOTAL	67557	66354	68018	68430
Lewisham West & Penge	Clock House	11819	11553	11800	11993
	Crystal Palace	8524	8597	9059	9190
	Penge & Cator	12361	12101	12377	12491
	TOTAL	32704	32251	33236	33674
Orpington	Biggin Hill	7872	7819	7899	7915
	Chelsfield & Pratts Bottom	11379	11145	11376	11303
	Cray Valley East	11124	11161	11351	11490
	Darwin	4077	4084	4165	4173
	Farnborough & Crofton	11829	11603	11814	11801
	Orpington	12026	11827	12150	12251
	Petts Wood	10882	10664	10877	10816
	TOTAL	69189	68303	69632	69749
BOROUGH TOTAL		238326	235254	240867	242165

COUNCIL MEETING

11TH DECEMBER 2017

QUESTIONS FOR ORAL REPLY FROM MEMBERS OF THE COUNCIL

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

Do you have a good reason why this Council should not follow the example of neighbours such as Lewisham and Croydon who are building their own social housing, thereby providing much needed homes for local families and also reducing the costs to the Council of providing temporary accommodation?

Reply:

Whilst noting Lewisham and Croydon's chosen methodology, there are many significant and difficult to manage aspects to avoiding temporary accommodation to support Bromley's residents in need. Likewise the associated knock on costs arising to the wider Bromley Council Tax payer.

If there is one thing we can all agree on, it would be that more needs to be done across London to provide local homes for local people and Bromley remains resolutely committed to that principle.

Consultation supporting Bromley's Homelessness Strategy will very shortly be underway following last week's Executive meeting as colleagues may be aware. The outcome of that consultation will directly feed into and closely influence Bromley's overarching and evolving Housing Strategy which is due to come to Members for discussion and approval during Quarter 2, 2018.

Supplementary Question:

Have you requested, and if not will you request, officers to provide a report outlining what this Council might do to increase the amount of social housing available, and what financial benefits the Council might gain for so doing?

Reply:

I would just like to point out that there are several initiatives that are already under way within this Council. Council officers have been working hard, particularly around the preventative agenda, but there are also certain other things that we are doing, for example expanding More Homes Bromley (the Mears Project), reviewing incentives to landlords and temporary accommodation providers, refurbishment of vacant units, acquiring and designating new sites for new building, refining the affordable housing percentage on new-build sites and out of area moves for those who wish to consider the same. In terms of Bromley, the More Homes Bromley property purchase scheme is a form of housing company venture, and was one of the first such models in the country. Regarding the reference to Lewisham and Croydon in your original question, I would like to mention that at the end of quarter 2017 the last numbers that I have to hand advise that Bromley has fewer residents in temporary accommodation than either of the boroughs you mention.

Additional Supplementary Question:

Councillor Angela Wilkins asked for a direct reply to the question, which was did she have a good reason why the Council should not follow the example of neighbours such as Lewisham and Croydon?

Reply:

It will be covered in the Homelessness Policy and also the Housing Strategy that comes out after consultation.

2. From Cllr Vanessa Allen to the Leader of the Council

What are you going to do to ensure that this Council complies with the needs of Londoners, as identified by the Mayor of London, and doubles the number of new homes built annually in the Borough from 641 to 1,424?

Reply:

Bromley Council has recently demonstrated how it will provide 641 dwellings a year across the Borough, every year for the next 10 years, in line with the Borough's statutory housing requirement, by way of our evolving 'Local Development Framework' plan.

Regarding the Mayor for London's stated aspiration to universally impose a 122% increase to Bromley's housing targets, I refer you to my statement dated 1st December 2017 ([Appendix 1](#)), laid before you this evening and included within tonight's minutes for your ease of reference.

Supplementary Question:

You have provided us with copies of your press statement, which says exactly what I would have expected it to say. I attended the Local Plan hearing last week, and I am quite concerned that the hard work of the officers in the Planning Department is going to be derailed by your limited vision of affordable housing. London's Deputy Mayor for Housing, James Murray, is very keen to see a move away from constructing higher end properties for sale and moving towards affordable and long-term rental. How will Bromley engage with this direction?

Reply:

I will refer you to the answer just given by the other Councillor Smith regarding Bromley's evolving Housing Strategy, which is examining all forms and manner of ways of trying to provide more forms of both affordable housing and shared ownership. I do not like the undertone that Bromley is not doing its fair share around the provision of housing in London, as has been suggested in a number of places. You will see from [Appendix 2](#) that in addition to our housing targets that we are given each year by various Mayors past and present, that with the exception of one year Bromley has exceeded our target every year and is very much committed to providing the housing required by Bromley residents moving into the future.

Additional Supplementary Question:

Councillor Simon Fawthrop asked whether the Leader agree with him that, as usual, the Mayor was trying to progress a top-down centralisation, one size fits all policy when what was really needed was a communities first policy where local authorities are at the heart of housing policy?

Reply:

I broadly agree with that. I think what is important is to remember is that London is not a one-size fits all location. We do need various strategies for various parts of the capital. To me, the tragedy of this is that we could provide more houses in certain locations, and we know this from talking to senior developers, if the affordable aspect

of any location was less. It would give them more incentive to build houses, that could then provide CIL moneys, Section 106 as well, to actually build affordable housing where it is probably more in direct need. To me the biggest frustration is that the affordable housing targets, as well-intentioned as they are, is actually having the reverse effect and resulting in having fewer greenfield sites, fewer brownfield sites and fewer land banks owned by developers forward for development because the developers cannot make a profit from developing them.

3. From Cllr Angela Wilkins to the Portfolio Holder for Public Protection & Safety

The Borough Fire Commander has stated that, whilst there are no Council-owned tower blocks that put Bromley residents at risk by having cladding similar to Grenfell Towers, there are numerous other residential blocks that do. What steps is this Council taking to protect these residents?

Reply:

All of the Housing Association Tall Buildings and most of the privately owned buildings have been found not to have cladding and/or not cladding that causes concern. We are following guidance offered by DCLG and will be making a report to the Renewal and Recreation Policy Department and Scrutiny Committee in January 2018.

Supplementary Question:

That does not answer my question. The Borough Commander is quite clear that these properties exist, and telling me that most properties do not have this cladding is not really the answer. My question is what is being done about those that do, that do exist because of the Borough Commander.

Reply:

I think the answer is quite clear, that these properties will be in reports going to Renewal and Recreation PDS Committee in January.

4. From Councillor Nicholas Bennett JP to the Education, Children and Families Portfolio Holder

If he will make a statement on the progress being made to convert all schools to academies?

Reply:

In September 2017, three primary schools (Churchfields, Bromley Road and Blenheim) converted to academy status as did Glebe School. The remaining five primary schools (St Paul's Cray, Bickley, Southborough, Edgebury, Poverest and Downe) have submitted proposals for conversion to Dominic Harrington, the Regional Schools Commissioner. We anticipate that a decision will be made in the new year.

The two special schools (Riverside and Marjorie McClure) remain community schools and there are currently no plans to convert. The one remaining secondary school, which has other issues at this time, has no plans currently.

Of the 102 schools, now that we have just approved a recent secondary school, 90% of them have converted to academy status.

Equally importantly, “stand alone” academies are beginning to form multi-academy trusts (MATs) which is enabling them to collaborate and to develop shared services for school improvement and, increasingly, inclusion support for children with additional needs.

Supplementary Question:

Would the Portfolio Holder not agree that now we have a new Chairman of Governors at St Olave’s and a new governing body with a new local authority representative, the time is right now to encourage that school to become an academy.

Reply:

There are some on-going issues with St Olave’s so I’ll leave that subject alone for now and we will maybe pick that issue up when we get the report back from the school.

5. From Councillor Tony Owen to the Chairman of Development Control Committee

What plans do you have to introduce a basement planning policy?

Reply:

The Council’s planning policies include design criteria that should be applied to all aspects of a residential development, including at basement level. There are no specific plans, as far as I am aware, to introduce a separate basement level policy at present but this will be kept under review and could be further investigated. I would add that if Members of this Council wish for that policy to be developed

Supplementary Question:

We have had a number cases to Planning Committee where it is clear that we will need to go along with other London boroughs to have a policy. My question has been answered, that we will look at it seriously.

6. From Councillor Peter Fookes to the Leader of the Council (Councillor Fookes was not present so a written response was provided)

Why is Bromley being described as fantastic in publicity material that was put out for the public meeting re the budget for 2018/19?

Reply:

Because Bromley is a fantastic place to live, work, go to school, do business, enjoy leisure and rejoice in our open green spaces.

The best place to live in ‘London’ by far in both my own and many others opinion.

Why would even the Labour party in the run up to a local election choose to talk the Borough down and pretend otherwise?

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

Do you feel that this Council is providing or facilitating sufficient sheltered housing and care home places to meet the needs of our growing elderly population?

Reply:

Yes I do.

Supplementary Question:

How do you square that answer with the comments by the Planning Inspector from the Queen Mary House appeal from about this time last year who said that the Queen Mary House proposal would contribute to the London Plan target for Bromley of 205 units of specialised housing for older people per annum, a target which is well short of being met.

Reply:

We are constantly evaluating the need so that we are able to respond and meet the needs of vulnerable people. Our data shows that there is a year on year reduction of people in placements, which is mostly due to the commitment of the Council, in conjunction with our health partners, of keeping people at home under revised care pathways including frailty pathways and those sorts of new health initiatives, enabling people to remain in their own homes with care and support or to live in a supported living environment.

8. From Cllr Angela Wilkins to the Portfolio Holder for Public Protection & Safety

Given the recent FSA audit of Bromley's food hygiene service which found the Council was not complying with statutory minimum staffing, and that the Council now has to find £125k to fund new posts, will she agree that this Labour group was correct in 2015 when we opposed cuts to this budget back in 2015?

Reply:

No. As I have already stated publicly elsewhere it has only been because of the Council's careful approach to financial management that has made this necessary additional investment possible. The Food Standards Agency report is publicly available if anyone wants to read it and this report recognises our "commitment to providing a good quality service" and for the avoidance of doubt, providing a good quality service remains our commitment.

Supplementary Question:

It was only because the Food Standards Agency found that this Council was not complying with its statutory requirements that we appointed these officers that the Members opposite decided to get rid of in 2015. This article, "Cutting the Mustard", is this political spin or is it just being economic with the truth?

Reply:

For the second part, that is important safety information, concerning the newsletter, that it is useful for all residents to learn from. Concerning the first part, concerning the part about only because the FSA came we are putting this information in. Yes, that is correct, however, up until this point they had been happy with what we had been doing. Every year we send them returns and we have told them every year what we have been doing. They have been content – it is just that a few months ago they came and they wanted us to do some more inspections on low risk premises

Additional Supplementary Question

Councillor Ian Dunn suggested that the Council had been warned in an officer's report in January 2016 that there were issues with Food Standards inspections and something should have been done then.

Reply:

Yes, that is correct, and we did do something about it. We immediately hired some contractors who have made significant progress on the backlog. We have had one doing it full time and one doing it part time, and they have continued to do that until the recent FSA visit.

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

We only find out about gaps and vacancies in our Neighbourhood Team when we try to contact previously helpful officers and discover they have left. This contributes to the poor contract management and lack of monitoring. Please provide an update on staffing in the West Neighbourhood Team including vacancies and what recruitment is taking place.

Reply:

Interviews were held on the 7th and 8th December for the vacant Neighbourhood Officer post. It is expected that the new officer will commence work in January 2018. Contract management and performance monitoring continues. I encourage Councillors and members of the public to use Fix my Street and Report It on the LBB website to report issues, rather than direct to officers. I can also confirm that the level of monitoring is not de-graded in areas with a vacancy for a Neighbourhood Officer or where there is holiday or sickness cover required. Managers step down to cover operational monitoring and other Neighbourhood Officers have picked up additional work to cover the vacancy.

Supplementary Question:

We do encourage people to use Fix my Street, but that is not the total answer to the question. What would be much appreciated would be if, when there are staff changes, such as when people leave and new officers are recruited, is that we are told when it happens rather than email someone who has previously been helpful and finding that they have disappeared so that we are not wasting our time and other officers' time.

Reply:

I cannot guarantee that everybody can be emailed when staff change, however, I will ask IT to make sure that an out of office or a suitable other response is provided.

Additional Supplementary Question

Councillor Angela Wilkins stated that surely it made sense for ward members to know when one of their Neighbourhood Team had been replaced?

Reply:

I was referring to the general case, rather than the specific case. I would hope that ward members in a particular area would be notified, but I certainly cannot say that in the general case, particularly where members of the public are corresponding with particular officers.

10. From Councillor Nicholas Bennett JP to the Education, Children and Families Portfolio Holder

If he will support a joint letter with me to the Prime Minister asking her to ensure that the Government honour their manifesto promise to remove the 50% cap on admissions to Faith Schools?

Reply:

Yes, we have already made the commitment in a Select Committee meeting to write to the Prime Minister and Lord Agnew as well to get clarity on the commitment to raise the cap on schools.

11. From Councillor Tony Owen to the Resources Portfolio Holder

How much has LBB paid to Cushman & Wakefield?

Reply:

The total amount paid to Cushman and Wakefield so far is £538,716. This comprised of three parts.

The first part are the fixed fees. So far we have paid Amey fixed fees of £303,000 in relation to Cushman and Wakefield. This is in line with the cost profile reported to members at the decision to award the TFM contract. The actual cost of running the department would have been approximately £353,000 for the period 1/12/16 to 30/12/17, When compared to the actual contract cost for the same period of £303,000 excluding any one-off LRB work there is a saving of £50,000.

The second element, works out of the TFM contract specification, is £147,462. These are works in relation to the Democratic Hub, Chipperfield Road Regeneration, York Rise, Depot Strategy, The Glades, Orpington Town Centre and the Old Town Hall.

The third element of £88,254 is related to acquisition and disposal fees - Trinity House, Ashford and sale of the Metro Bank site.

Supplementary question:

How do we measure value for money and also the quality of the advice we receive?

Reply:

The contract with Cushman and Wakefield is administered by our officers but overseen by myself and also Councillor Morgan who is able to add a high degree of professional advice into the mix. The majority of this pay, so far, is precisely as the contract that we entered into at the time of signing the TFM contract with Amey.

12. From Councillor Peter Fookes to the Environment Portfolio Holder (Councillor Fookes was not present so a written response was provided)

Why does it take the Council two weeks to remove a burnt out motorbike from the footway?

Reply:

Where burnt out vehicles are reported they should be inspected and removed promptly if on public land. If the member is referring to a recent burnt out motorbike

in Chipperfield Road the delay was due to uncertainty over landownership and responsibility.

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

In the spirit of the motion passed at the September Council meeting confirming our commitment to the maximum possible levels of openness and transparency at all times, can the Leader provide the membership of the “Extended Cabinet” and where I can find the minutes of its meetings?

Reply:

“Extended Cabinet” comprises of the other six members of the Executive and myself, plus any other Committee chairmen or members by invitation.

These are meetings of Conservative Group members and are not a part of the Council meeting structure. Although notes are taken they are not disclosable in the same way that any notes taken at meetings of the Labour Group aren't.

Supplementary Question:

Which officers attend this meeting?

Reply:

Generally speaking, no officers attend Cabinet per se. If Councillor Dunn is referring to Extended Cabinet/Chief Officers Executive, that committee comprises of the other six members of the Executive and myself, other invited chairmen or general members, the Council's Chief Executive and his Directors. The Member/Officer Protocol in the Constitution recognises the need for specific briefings for the Leader, Portfolio Holders and Committee Chairmen and these meetings fulfil that purpose. Formal minutes are not kept, but if they were they would be exempt from disclosure.

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

Requests for 20 mph zones are the subject of regular emails from residents, and information is being provided to the Portfolio Holder on the benefits of this policy. For example, research by Transport for London found that 20 mph zones reduced the frequency of road user casualties within the zones by about 45% and reduced the frequency of fatal or serious casualties by about 57%. Surely prevention is infinitely preferable to waiting for serious accidents to push up the numbers of killed and seriously injured, and only then taking action? Please provide the number of primary and secondary schools in the borough which do not have 20 mph zones outside them at present?

Reply:

I agree that preventing road accidents is very important and the Council has a proven approach to how it invests in road safety schemes, with funding being prioritised at accident cluster locations on the basis of where the lowest spend is likely to yield the greatest road safety benefit.

Various research information is available on the casualty reduction benefits of area wide 20mph zones. Some research suggests that this approach is money well spent, other research suggests that the case is far from proven. The main research that Bromley will pay close attention to is that being undertaken by the DfT. It is Bromley's

experience that linking an instruction to a hazard is most likely to result in a change in behaviour, rather than area-wide schemes.

Bromley does, and will continue to consider installing localised 20mph limits if there is a good cause for one, such as outside a school, but will not be investing its finite resources in area-wide 20mph limits until such time that more conclusive evidence exists that it is the best way to invest the limited funds to save lives on the roads.

At present in the Borough there are 78 primary schools, 19 secondary schools and 20 independent /SEN/alternative provision schools. This is a total of 117 schools. Of these, 19 are either in a 20mph zone or have a full or part time 20mph limit outside the school. There are a further 2 schools with a part time advisory 20mph limit outside the school.

Supplementary Question:

20mph zones coupled with the Healthy Streets Strategy would help encourage safety, reduce pollution, and encourage cycling as well as walking. Would the Portfolio Holder consider a Christmas present of these policies to the people of Bromley?

Reply:

If there are specific locations where it is proven that that benefit would exist of course I will consider them. A general borough wide 20mph zone would cost more than our annual budget for road safety and would mean those other areas where more direct intervention is required to improve road safety would not be able to go ahead.

Additional supplementary question:

Councillor Simon Fawthrop asked whether the Portfolio Holder agreed that Councillor Allen was falling into the trap of the London Mayor and wanting a top-down, centralisation, one size fits all policy.

Reply:

I would agree that it is best to have bespoke arrangements in individual places.

Additional supplementary question:

Councillor Michael Tickner asked whether the Portfolio Holder agreed that driving around at 20mph in a big borough like Bromley is going to cause more pollution. Driving in third gear everywhere is going to put a lot of, particularly, diesel particulates into the air and seriously endanger the health of the residents in this borough.

Reply:

I would start by saying that in many parts of the borough you cannot go above 20mph anyway, so having such a limit would be of limited effect. Certainly, going at slow speeds can increase pollution, as indeed braking, recent figures have shown that around about 50% of particulant data arises from brake tyre and brake pad dust. Lots of braking and accelerating also increases particulants, so 20mph zones in themselves will not have much effect on particulant data.

Additional Supplementary Question:

Councillor Tony Owen asked whether the Portfolio Holder was aware of Manchester council's experience where they abolished their 20mph scheme as they regarded it as a complete waste of £1.7m?

Reply:

I cannot say that I am aware of every single Council's experience of 20mph zones. I suspect that we are going to look a bit more in London, but certainly some boroughs have removed 20mph zones as they are finding they are not sufficient. Some boroughs have applied them only in certain areas, such as excluding bus routes, some boroughs have applied it elsewhere. There are many different models – as yet there is no conclusive evidence to suggest that it is of benefit.

Additional Supplementary Question:

Councillor Alan Collins asked whether the Portfolio Holder agreed that whilst 20mph limits might be recommended they are not legally enforceable in this country – only Parliament can introduce such a law? They might be helpful, but they are not legally enforceable?

Reply:

I am not sure that is correct. Any speed limit is legally enforceable. I think the point is that the Police are not going out of their way to enforce something where the boroughs just change the rules to make what would otherwise normally happen a crime. The Police are quite clear that where the Council introduces a 20mph zone they expect the Council to also change the road layout or do other things in order to make that the natural speed for traffic to travel at, rather than just to change the zone to make members of the public to accidentally commit a crime to make a payment or receive penalty points.

(At this point the time allowed for questions ended, but it was proposed by the Mayor that the remaining questions be taken.)

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

Why was this Council one of only three in London to not take the opportunity to have the responsibility for enforcement of 21 moving vehicle offences transferred from the police to the Council? Do you accept that because of reductions to their funding, the police do not have the capacity to enforce these offences and that drivers in the Borough are free to commit these offences without risk of penalty? Is this not also a 'missed' income stream for the Council?

Reply:

Despite the cuts to police budgets I still consider this to be a police function and for them to prioritise accordingly. In the absence of any data to suggest that moving traffic offences in the borough are materially affecting congestion or road safety, Bromley does not believe it right to deliberately target and persecute motorists for relatively minor traffic offences just to raise revenue. It is also worth noting that there are duties associated with taking responsibility for moving traffic offences, so it is not without cost without taking account of any invest to save to install cameras to police things like yellow box junctions.

16. From Councillor Nicholas Bennett JP to the Environment Portfolio Holder

What action does the Council take to support bus and rail users?

Reply:

The Council works with TfL, Bus companies, Trams, Network Rail and Southeastern to improve the experience of public transport. There is also the Public Transport Liaison Committee for direct engagement. I do not intend to list the wide range of projects related to station access for all users, car and cycle parking, bus accessibility, lobbying for improved capacity of existing and desired services such as the Kent route study etc., but I can provide more details in writing if required.

Supplementary Question:

We have talked in the past about the extension of the DLR from Lewisham to Bromley. This is now seen as very expensive and the cheaper alternative of extending London Overground from New Cross to Bromley is one that ought to be pursued. Will he pursue that, and will he also look at bus frequencies. Is he also aware that bus frequencies are being extended, and on route 119 through West Wickham the buses will come less frequently. This is a result of the foolish policy of the Mayor in promising not to increase fares over the years and therefore losing a budget and this is a sly cut which he is trying to hide from the public.

Reply:

We have looked at what we can see is the best in terms of what TfL expects as investment to be going forward. Neither the DLR as you indicated nor the London Overground into Bromley North is mentioned at all so I think you can take that as the London Mayor is not interested. There is a general move of removing bus routes from central London with the potential to increase them in outer London. I am not sure what our priority would be. Certainly, at the last Public Transport Liaison Committee there was a suggestion that certain routes had changed, there are now changes in where people want to go to, not least the new secondary schools opening in the borough. I am due to have a meeting with TfL in order to discuss more widely buses and bus routes, particularly related to changes to destinations for residents. Within that, I would hope that rather than have a one size fits all in terms of what the frequencies are in the whole day and evening hours we could possibly be more flexible to have the highest frequencies when they are needed, though obviously there is a limited budget that we are likely to receive in this borough.

17. From Councillor Peter Fookes to the Environment Portfolio Holder (Councillor Fookes was not present so a written response was provided)

Will he ensure that the leaf clearance schedule for 2017/18 is available on the Bromley Website?

Reply:

In previous years we have had a rigid 12 week leafing programme that was straight forward to publicise but not necessarily the most effective way of targeting, responding to nature or the weather and directing our resources to areas that required it most. The lack of flexibility could at times lead to erroneous reports when the schedule was not delivered on the specific date publicised.

This year it was amended slightly so that we build the programme as we progress, a week in advance, thus allowing us to be far more responsive to local needs.

We gather reports from NOs, members of the public/residents and Councillors, information from our contractor, as well as historical and arboricultural data to put the

schedule together. We began the leafing programme by clearing Horse Chestnuts leaves, then through data mapping moved to the next species and so on.

Additionally, we have had extra leafing resources this year compared to previous, and this has allowed us to be even more responsive/reactive to complaints or suggestions. Again, these resources are usually programmed on a weekly basis on the back of intelligence gathering.

Feedback from Neighbourhood Officers and the public is that this approach is working well; as a headline figure, in October and November alone we removed over 770 tonnes of leaves from the borough.

We issued an update for leafing via the website on 16th November ([#http://www.bromley.gov.uk/press/article/1300/annual_autumn_leaf_clearance_starts](http://www.bromley.gov.uk/press/article/1300/annual_autumn_leaf_clearance_starts)) that Andrew Rogers helped put together, giving an update on leafing. Subject to disruptions, such as snow or other weather incidents, we expect the main leaf clearance to be complete by the New Year.

Mayor's London Plan

Published Friday, 1 December 2017

Council Leader's statement.

Councillor Colin Smith, Leader of Bromley Council said, "Whilst we will consider the detail of what is being proposed very carefully, before responding formally as part of the Mayor of London's consultation process, at first glance, aspects of his Draft London Plan represent extremely bad news for Bromley.

Whilst the Mayor has made an indicative commitment to protect the Green belt, in line with Bromley Council's long standing policy on the subject, which should in fairness be acknowledged and even applauded, the recent proposal that statutory housing targets should be more than doubled and that 'garden grabbing' should now be legalised and indeed even actively encouraged to facilitate it, raises the very real threat of uncontrollable and inappropriate development of a type and nature which will scar and degrade the look and very soul of neighbourhoods across our borough forever.

All of this with no real thought given or methodology worked through as how to pay for all the necessary infrastructure, schools, doctors' surgeries and dentists, to support so many extra people moving in.

Hopefully what we have before us might yet be scaled back as part of the consultation process and Bromley Council will be actively encouraging the powers that be at City Hall to think in such terms over coming months."

ENDS

For media enquiries, please contact Andrew Rogers, Communications Executive, on 020 8461 7670 or email andrew.rogers@bromley.gov.uk

Table 1 Completions 2007/08-2016/17

	Small sites	Large Sites	NSC units	Annual target	Cumulative target	Total	Cumulative total
2007/08	370	343		485	485	713	713
2008/09	369	136		485	970	505	1218
2009/10	245	313		485	1455	558	1776
2010/11	309	446		485	1940	755	2531
2011/12	385	261		500	2440	646	3177
2012/13	235	292		500	2940	527	3704
2013/14	180	515		500	3440	695	4399
2014/15	167	259		500	3940	426	4825
2015/16	315	433	-11	641	4581	737	5562
2016/17	528	330	75	641	5222	933	6495

COUNCIL MEETING

11TH DECEMBER 2017

QUESTIONS FOR WRITTEN REPLY FROM MEMBERS OF THE COUNCIL

1. From Councillor Ian Dunn to the Resources Portfolio Holder

Please provide the number of residential properties which have been empty for over two years, broken down by Council Tax band.

Reply:

There are currently 181 residential properties in Bromley that have been empty for more than 2 years. The table below categorises these properties by Council Tax band:

Council Tax Band	A	B	C	D	E	F	G	H	Total
Number of properties empty for more than 2 years	6	28	56	45	24	11	9	2	181

2. From Cllr Ian Dunn to the Environment Portfolio Holder

Please provide the process used to monitor the performance of our street cleaning contractor and the criteria used to determine whether a default will apply.

Reply:

- Neighbourhood Officers (NOs) complete inspections the day after scheduled cleansing activities using the Nautoguide system.
- Nautoguide will prompt the NOs to visit a random sample of locations each day.
- NOs will grade each location in accordance with the nationally recognised DEFRA Code of Practice on Litter and Detritus (attached) with 'A' being the best grade through to 'D' being the worst grade. 'A' and 'B' grades are passes; 'C' and below is a failed grading.
- Failed grades 'C', 'C-' or 'D' are counted as defects – these are liable for a £50 fine paid for by the contractor. Where an NO issues a failed grade, they will take and attach photographs along with a brief explanation for the failure. These are emailed directly and instantaneously to the contractor and LBB.
- Gradings and defects feed into KPI data and the contract management process; they are discussed between Kier and LBB at monthly contract meetings.
- Neighbourhood Management is tasked with completing just under 2,000 inspections a month, which translates to approx. 8-10 per day, per NO.

3. From Councillor Nicholas Bennett JP to the Education, Children and Families Portfolio Holder

How many Bromley looked after children are:

1. with permanent foster parents;
2. with temporary foster parents;
3. adopted;
4. in residential homes?

Reply:

On the 1st December we had 291 children Looked After

1. with permanent foster parents; 62
2. with temporary foster parents; 136
3. adopted; Placed for adoption; 17 (plus children with adoption order this year = 8)
4. in residential homes? 56

The remaining 20 were 10 children placed at home, 7 in independent living, 2 in prison/YOI and 1 in foster to adopt placement.

4. From Councillor Nicholas Bennett JP to the Environment Portfolio Holder

How many incidents of fly-tipping have been recorded in each of the past three years

- i. in the Borough;
- ii. West Wickham Ward.

and how many alleged offenders have been prosecuted for fly-tipping in each of these years?

Reply:

The figures are:

	Borough	West Wickham
2015	5,109 reports	96 reports
2016	5,208 reports	102 reports
2017 to date	4,394 reports	61 reports

2015 – 3 prosecutions/25 warning letters/15 FPNs

2016 – 4 prosecutions/10 warning letters/17 FPNs

2017 – 2 prosecutions/17 warning letters/30 FPNs

5. From Councillor Nicholas Bennett JP to the Education, Children and Families Portfolio Holder

If he will give the following information;

- i. The number of children in each category of Black and Minority ethnic group in Bromley school schools;
- ii. the number of pupils on free school meals;
- iii. the percentage of male and female teachers in (a) primary schools, (b) secondary schools in the Borough?

Reply:

(i) The number of children in each category of Black and Minority ethnic group in Bromley school schools;

BME Group / Number of Pupils by School Type	Primary	PRU	Secondary	Special	Total
Asian Bangladeshi	154	1	134	7	296
Asian Indian	708	2	541	7	1258
Asian Other	553	3	562	10	1128
Asian Pakistani	104		111	4	219
Black African	1454	21	1324	46	2845
Black Caribbean	665	28	745	22	1460
Black Other	349	6	285	7	647
Chinese	345		229	7	581
Mixed Other	1163	16	813	29	2021
Mixed White & Asian	638	1	375	9	1023
Mixed White & Black African	409	1	237	10	657
Mixed White & Black Caribbean	890	15	639	24	1568
Info not Obtained	289		155	2	446
Any Other Ethnic Group	385	4	294	8	691
Refused	184		245	6	435
White British	16275	69	14078	377	30799
White Irish	165		114	3	282
White Irish Traveller	13		4	3	20
White Other	2430	8	972	17	3427
White Gypsy/Roma	122	1	42		165
Total	27295	176	21899	598	49968

(ii) the number of pupils on free school meals;

	Eligible for Free School Meals Number	Eligible Free School Meals %
Primary	2482	9.09%
PRU	101	57.39%
Secondary	1558	7.11%
Special	216	36.12%
Total	4357	8.72%

(iii) the percentage of male and female teachers in (a) primary schools, (b) secondary schools in the Borough?

School workforce information is published by LA only, and not by primary/secondary. The 2016 School Workforce Census for Bromley showed 26% of teachers were male, 76% female

6. From Councillor Peter Fookes to the Environment Portfolio Holder

When will the trees at the rear of 4 Collingwood Close, Penge be pruned?

Reply:

The trees at the rear of Collingwood Close are not subject to a programme of regular maintenance. Pruning is currently undertaken on an ad-hoc risk basis when significant defects require remediation in accordance with LBB's adopted Tree Policy.

7. From Councillor Peter Fookes to the Resources Portfolio Holder

How much were the costs of the 13 day employment tribunal case of Kathy Smith and given the merits of this case, why didn't the Council put Unite the Union on notice that they would seek costs?

Reply:

The legal cost (excluding the input and support of the in-house legal and HR officers and management witnesses' attendance at the tribunal) is approximately £33k including VAT.

Under the Employment Tribunal Rules of Procedure there is no automatic award of costs. Each application for cost award is considered on its merits, taking into account the conduct of the litigant, the merit or otherwise of the claims, etc.

8. From Councillor Peter Fookes to the Resources Portfolio Holder

Will he implement a procedure for informing councillors of the staff changes that occur, particularly for those officers who have regular dealings with members?

Reply:

The Chief Executive uses the email and the Internal bullet (Inform) to share significant staff changes with Councillors and senior officers, respectively. I also expect Directors and their Heads of Service to keep their Members and key Members (including Portfolio Members and Leaders of the minority parties) informed on key staffing changes with significant service implications.