

LONDON BOROUGH OF BROMLEY

MINUTES

of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 8 April 2019

Present:

The Worshipful the Mayor
Councillor Kim Botting FRSA

The Deputy Mayor
Councillor David Cartwright QFSM

Councillors

Marina Ahmad	Peter Fortune	Tony Owen
Gareth Allatt	Kira Gabbert	Angela Page
Vanessa Allen	Hannah Gray	Chris Pierce
Graham Arthur	Will Harmer	Neil Reddin FCCA
Kathy Bance MBE	Christine Harris	Will Rowlands
Yvonne Bear	Colin Hitchins	Michael Rutherford
Julian Benington	Samaris Huntington-	Richard Scoates
Nicholas Bennett J.P.	Thresher	Suraj Sharma
Mike Botting	William Huntington-	Colin Smith
Katy Boughey	Thresher	Diane Smith
Mark Brock	Simon Jeal	Gary Stevens
Kevin Brooks	Charles Joel	Melanie Stevens
Mary Cooke	Josh King	Harry Stranger
Aisha Cuthbert	Kate Lymer	Kieran Terry
Peter Dean	Christopher Marlow	Michael Tickner
Ian Dunn	Robert Mcilveen	Pauline Tunnicliffe
Nicky Dykes	Russell Mellor	Michael Turner
Judi Ellis	Alexa Michael	Stephen Wells
Robert Evans	Peter Morgan	Angela Wilkins
Simon Fawthrop	Keith Onslow	

The meeting was opened with prayers

In the Chair
The Mayor, Councillor Kim Botting FRSA

88 Apologies for absence

Apologies for absence were received from Councillor David Jefferys.

Apologies for lateness were received from Councillors Will Harmer and Michael Rutherford.

89 Declarations of Interest

The Mayor informed Members that the Monitoring Officer had advised that there was no need for Members who were assured shorthold tenants, or who let property to assured shorthold tenants, to make a declaration in respect of the motion on abolition of Section 21 of the Housing Act 1988 (Minute 100).

Councillor Simon Jeal declared that he was a volunteer for Bromley Homeless Shelter.

90 To confirm the Minutes of the meeting of the Council held on 25th February 2019

RESOLVED that the minutes of the meeting held on 25th February 2019 be confirmed.

91 Petition

Report CSD19067

A petition had been received from Ms Ruth Fabricant calling for the Council to introduce more 20mph traffic speed restriction zones outside schools and along shopping parades or in locally defined risk areas. Ms Fabricant addressed the Council in support of the petition and Cllr William Huntington Thresher responded, thanking the petitioners but explaining that these concerns were already being addressed as part of the Council's Local Improvement Plan (LIP.)

A motion to take no further action on the petition was moved by Councillor William Huntington-Thresher, seconded by Councillor Colin Smith and **CARRIED**.

92 Questions

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

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

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

Five questions had been received from members of the Council for written reply. The questions, with the answers given, are set out in Appendix D to these minutes.

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

A statement was made by the Portfolio Holder for Renewal, Recreation and Housing, Cllr Peter Morgan, about the agreement that had now been reached with Mytime Active for new forty year leases for the twelve facilities that they managed in the borough.

94 Budget Monitoring 2018/19
Report CSD19065

A motion to agree the recommendations from the Executive to set aside £7.5m in the Housing Investment Fund earmarked reserve from underspends in the 2018/19 Central Contingency for the Council's housing transformation strategy as detailed in paragraph 3.2.12 of the report, and set aside £2m of Bromley CCG funding to support health and social care as an earmarked reserve, was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED**.

95 Constitution Improvement Working Group - Minor Constitutional Changes
Report CSD19053

A motion to approve the recommendations from the Executive on changes to the Constitution arising from the Constitution Improvement Working Group, to note other matters considered by the Working Group and authorise the Director of Corporate Services to make any consequent minor changes to the wording and numbering of the Constitution was moved by Councillor Mary Cooke, seconded by Councillor Pauline Tunnicliffe, and **CARRIED**.

96 Special Urgency Decisions 2018/19
Report CSD19068

A motion to note the report on special urgency decisions was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED**.

97 Fourth Report of the Education, Children and Families Select Committee 2018/19 - The Impact of Universal Credit on Families
Report CSD19058

A motion to receive the fourth report of the Education, Children and Families Select Committee and invite the Leader and appropriate Portfolio Holders to consider the recommendations and (a) refer the recommendations to service Directors and Partners, where appropriate, and (b) provide a written response to the Select Committee at a future meeting, was moved by Councillor Nicholas Bennett, seconded by Councillor Neil Reddin and **CARRIED**.

98 Policy Development and Scrutiny Annual Report 2018/19
Report CSD19059

A motion to receive the Annual Policy Development and Scrutiny report for 2018/19 was moved by Councillor Simon Fawthrop, seconded by Councillor Keith Onslow and **CARRIED**.

99 SACRE Annual Report 2017/18
Report CSD19054

A motion to receive the Standing Advisory Council on Religious Education (SACRE) Annual Report for the 2017/18 academic year was moved by Councillor Kevin Brooks, seconded by Councillor Robert Evans and **CARRIED**.

100 To consider Motions of which notice has been given.

(a) Abolition of Section 21 of the Housing Act 1988

The following motion was moved by Councillor Kathy Bance and seconded by Councillor Josh King -

"This council strongly believes that a secure home is at the heart of all our lives. It gives security, enables aspiration and gives children a stable home in which to grow up.

This council believes that residents living in the private rented sector should have the security to build their lives and futures, and to become an active part of their community, just as residents in other housing tenures should expect. We note that nationally, the largest reason for homelessness is eviction from the private sector. We therefore call on the Government to: abolish 'section 21' of the Housing Act 1988 which allows eviction without the landlord having to establish fault on the part of a tenant.

Removing this unfair clause would help to make renting more secure, improve standards, increase tenant confidence and ultimately contribute towards making renting a viable long-term alternative to home ownership or social rent for the millions who currently cannot access either."

It was moved by Councillor Colin Smith and seconded by Councillor Michael Rutherford that the motion be referred to Renewal, Recreation and Housing PDS Committee for more detailed consideration and report back - this amendment was **CARRIED**.

(b) Christchurch Attacks

The following motion was moved by Councillor Simon Jeal and seconded by Councillor Angela Wilkins -

"This Council expresses its utter shock and sympathy in the wake of the terrorist atrocity in New Zealand where 50 Muslim worshippers were killed by right-wing extremists inside two mosques. We mourn with our fellow commonwealth, we are one, you are us, and we send our wishes of love and compassion to all New Zealanders.

On Friday 15th March, millions of British Muslims in the UK were preparing to attend the Friday prayers at their local mosques. This weekly act of worship was overshadowed by the horrific news of a terrorist attack thousands of miles away in Christchurch, New Zealand. Muslims were targeted as they too went to attend the call to prayer at their local mosques, with 50 never to return.

This Council, alongside our local community, stands together to condemn the deadliest mass shooting in modern New Zealand history as proof and evidence that terrorism has no colour, has no race, and has no religion. We reaffirm our commitment to condemn those who demonise and dehumanise people because of the faith they follow.

Terrorists have sought to divide our great city apart with an evil ideology, but instead we have shown that London is strong, and that the world can see in us an example of love and unity. This Council resolves not to let anyone divide us and we wish to express unity and solidarity with communities in Bromley who are feeling the ripples of fear and sorrow following the events on 15th March."

Councillor Gary Stevens, seconded by Councillor Colin Smith, moved an amendment to the motion to read -

"This Council expresses its utter shock and sympathy in the wake of the terrorist atrocity in New Zealand and notes other recent attacks in the Philippines, Kenya, Nigeria, Israel and elsewhere and extends its sympathy to all the victims of terrorist crimes wherever they occur."

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

Councillor Angela Wilkins, seconded by Councillor Kevin Brooks, proposed that the original motion and the motion as amended by Councillor Stevens be combined. On being put to a recorded vote, this amendment was **LOST**.

The following members voted in favour of the amendment proposed by Councillor Wilkins -

Councillors Marina Ahmad, Vanessa Allen, Katherine Bance, Kevin Brooks, Ian Dunn, Simon Jeal, Josh King, Peter Morgan and Angela Wilkins.

The following members voted against the motion -

Councillors Gareth Allatt, Graham Arthur, Yvonne Bear, Nicholas Bennett, Mike Botting, Katy Boughey, Mark Brock, Mary Cooke, Aisha Cuthbert, Peter Dean, Nicky Dykes, Robert Evans, Simon Fawthrop, Peter Fortune, Kira

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Gabbert, Will Harmer, Christine Harris, Samaris Huntington-Thresher, William Huntington-Thresher, Charles Joel, Kate Lymer, Christopher Marlow, Russell Mellor, Alexa Michael, Keith Onslow, Tony Owen, Angela Page, Neil Reddin, Will Rowlands, Michael Rutherford, Richard Scoates, Suraj Sharma, Colin Smith, Diane Smith, Kieran Terry, Michael Tickner, Pauline Tunnicliffe, Michael Turner and Stephen Wells.

The following Members abstained -

Councillors Julian Benington, Kim Botting, David Cartwright, Judi Ellis, Hannah Gray, Colin Hitchins, Robert Mcilveen, Chris Pierce, Gary Stevens, Melanie Stevens and Harry Stranger.

The substantive motion, as proposed by Councillor Gary Stevens, was put to the vote and **CARRIED**.

101 The Mayor's announcements and communications.

The Mayor thanked Members for their support for the Friendship Agreement that had been signed with Thunder Bay, Canada, on 7th March 2019, and informed the Council that she had hosted the Mayor of Niewied on an official visit which had included a formal dinner at the East India Club organised by the Deputy Mayor and a visit to Down House.

The Mayor urged Members to attend the special charity screenings of the film "The Bromley Boys" Live at the Churchill Theatre at 2.30pm and 7.30pm on Monday 6th May 2019.

The Meeting ended at 10.00 pm

Mayor

Minute Annex

Appendix A

COUNCIL MEETING

8th April 2019 2019

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

1. From Richard Hart, Chair, Bromley CND, to the Portfolio Holder for Environment and Community Services

Under the Borough's nuclear waste transportation plan, what emergency measures will be put into action in the case of an accident?

Reply:

The Council has a major emergency plan which sets out the steps that will be taken to initiate, control and co-ordinate its response to a major incident and the areas of activity in which the Council would be involved. By co-operating and developing an integrated emergency management approach, the emergency services and the Council have ensured that their arrangements for responding to a major incident would be harmonised.

Supplementary Question:

Mr Hart asked whether the public could view these plans?

Reply:

The Portfolio Holder responded that he would look into this.

(Note – In reply to Mr Hart's second question, the Portfolio Holder directed Mr Hart to the Council's website and through that to the Mayor of London's website which contained emergency plans – especially for incidents that would not be limited to one borough.)

Additional Supplementary Question:

Councillor Simon Fawthrop asked if the Portfolio Holder was aware that there had been no incidents since the service had started?

Reply:

The Portfolio Holder responded that if there had been an incident he would have been aware of it.

2. From Reverend Agnita Oyawale, Bromley Town Centre Chaplain to the Portfolio Holder for Resources, Commissioning and Contract Management

How many Universal credit assessments and applications have been submitted from homeless individuals over the past 6 months?

Reply:

Universal Credit is processed by the DWP. However Universal Credit no longer applies to homeless households placed into temporary accommodation by the Council under the homelessness legislation. All homeless households now placed into temporary accommodation would be eligible to apply for financial assistance through the housing benefit regime. There are a small number of households who were placed into temporary accommodation prior to this latest change who may still be receiving Universal Credit payments through the DWP, however they are being migrated back to housing benefit.

Supplementary Question:

Reverend Oyawale asked whether actual numbers could be given?

Reply:

The Portfolio Holder advised the questioner to apply to the DWP for the numbers. He too was concerned about the impact of universal credit on homelessness, and added that the Council had taken mitigating action by studying the pilots and using the Hardship Fund. The Council had spoken to Ministers during the consultation exercise, and some of its concerns had been addressed - for example, payment could now be made direct to landlords. Another concern was all payments being made to one person in a household where there was a risk of domestic violence. He concluded by stating that the number of people in temporary accommodation had actually gone down.

3. From Sam Gee, St Olave's Grammar School, to the Portfolio Holder for Environment and Community Services

Climate change threatens the existence of all of Bromley's citizens. With 42 other principal UK councils, including several Conservative, already having declared a climate emergency, how urgently will this Council take serious action to address the IPCC's warning that we have only 11 years left to prevent irreversible climate breakdown?

Reply:

The Council has a long history of taking serious action to address negative environmental impact. For example, we are entering our third 5-year Carbon Management Programme which aims to monitor and report the Council's own carbon emissions whilst informing our climate mitigation strategy. Energy efficiency projects, such as our LED street lighting upgrade project, not only reduce our energy consumption and emissions, but also save the Council money to further invest in similar projects. Our Carbon Offsetting Programme supports low carbon development within the borough, and will help further reduce local emissions through various carbon reduction projects providing community benefit. These programmes are overseen by a dedicated Carbon Management team. The same team also monitors and reports on borough wide emissions and uses this information to effect residential behavioural change in order to reduce emissions per capita.

In addition, the Council is taking action in a wide variety of ways. As the first London borough to introduce door to door collection, Bromley has always worked hard to achieve one of the highest residential recycling rates in London. Bromley's

biodiversity plan recognises the importance of our natural beauty and the need to protect green belt zones and areas of scientific interest for future generations. Our Flood Risk Action Plan identifies the potential damage climate change can do to our infrastructure and is supported by various flood risk studies recently undertaken. We are also pleased to see the growth of electric vehicles and charge points within the borough and will continue to support this initiative. However, the Council is not separate from the community and proactively works with residents and different groups to tackle environmental issues. For example, we have developed school travel plans to promote walking and cycling through our adult and child cycle training workshops, and Quiet Ways programme. As the custodian of approximately 100,000 public trees, we work with community groups to manage, conserve and grow these in a sustainable manner so increasing carbon sequestration. As we developed Bromley's recently adopted Local Plan we included policies and guidelines to promote planting for environmental reasons so it was not just the Council's estate that saw increased greenery. All of these endeavours serve to reduce emissions and ultimately mitigate the effects of climate change.

The Council recognises its responsibility to safeguard the environmental, social and economic future of Bromley residents that includes the effects of climate change. The Council however, is only responsible for a small proportion of the emissions in the borough. This, therefore is a responsibility we must share with all residents and visitors to the borough, and we would seek every opportunity to engage and motivate residents to do their part in these challenging times.

Supplementary Question:

Mr Gee urged the Portfolio Holder to use the Council's influence to put pressure on the Government.

Reply:

The Portfolio Holder responded that he did not want to go into further detail, but he was aware that Mr Gee had also submitted a question for the Environment and Community Services PDS Committee meeting the following night. The Council would continue to address environmental issues, and would take any opportunities to engage with the Government such as the current waste and recycling consultation. The Council had a long-standing carbon management programme, and a number of campaigns in the local community, but no one organisation could produce change alone and everyone had to do their bit.

Additional Supplementary Question:

Councillor Simon Fawthrop suggested that the Council's good work would be undone by the Mayor of London attempting to have 700 homes built on back gardens, destroying the borough's green lungs.

Additional Supplementary Question:

Councillor Peter Morgan asked whether the Portfolio Holder had investigated the effect of sun-spots, as opposed to man-made activity.

Additional Supplementary Question:

Councillor Marina Ahmad asked what had happened to the borough's air quality monitoring machines.

Reply:

The Portfolio Holder responded that whatever the role of sunspots or anyone trying to undo the Council's work, everyone had to play their part.

Some of the air quality monitors were managed by TfL, and an update would be reported to the Environment and Community Services PDS Committee in due course.

4. From Richard Hart, Chair, Bromley CND, to the Portfolio Holder for Environment and Community Services

How often is nuclear waste transported by rail through the Borough, and are you concerned that nuclear trains pass close to the public?

Reply:

The Council is not notified of trains, or the routes of trains or any other vehicles, which may carry nuclear waste through the borough. The method of transporting nuclear waste is subjected to rigorous regulation, control, and continued risk assessment.

Supplementary Question:

Mr Hart asked whether the Council could find out the times.

Reply:

The Portfolio Holder responded that he would take advice from the experts, but he stated that there would be obvious security concerns if the times were widely available.

Additional Supplementary Question:

Councillor Angela Wilkins asked how the Council could prepare emergency plans if it did not know when the trains ran?

Reply:

The Portfolio Holder responded that London-wide plans were available on the Mayor of London's website.

5. From Richard Hart, Chair, Bromley CND, to the Portfolio Holder for Environment and Community Services

Are you aware there is residual radiation from the trains and are there any plans for a risk assessment?

Reply:

The Council is aware of the findings of the 2017 Public Health England report entitled, 'Survey into the radiological impact of normal transport of radioactive material in the U.K. by road and rail'. One of the conclusions of the report is that 'doses to members of the public arising from the transportation of radioactive materials are extremely low'. The Council would be interested in the evidence you have regarding residual radiation and would be happy to discuss this with the Office for Nuclear Regulation.

Appendix B

COUNCIL MEETING

8th April 2019

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY

1. From Norman Dix to the Renewal, Recreation and Housing Portfolio Holder

How many homeless people and how many rough sleepers are there in the LBB? How does the LBB intend to comply with and implement the Homeless Reduction Act 2018 in Bromley and are there any plans to make these public?

Reply:

There are currently 1568 homeless households accommodated in temporary accommodation and approximately 3,500 households on the Housing Register who are either homeless or in a priority housing need category for rehousing. The last annual rough sleepers headcount was undertaken in November 2018 and found 6 rough sleepers bedded down in Bromley. London Street Rescue undertakes the outreach services for rough sleepers in Bromley. During the past year 47 rough sleepers have been identified and assisted.

The Council refocused its homelessness and housing advice services ahead of the introduction of the Homelessness Reduction Act to place an increased emphasis on housing advice and preventative services and has now fully implemented the requirements of the Homelessness Reduction Act. Full details relating to statistics and of the approach taken to tackle and prevent homelessness in compliance with the legislation are set out in the Council's published Homelessness Strategy.

2. From Andrew Ruck to the Resources, Commissioning and Contract Management Portfolio Holder

Given it was nearly 30 years ago that Parliament started broadcasting in the House of Commons on Television, could L.B. of Bromley consider sharing Council meetings live in lieu of edited recordings and transcripts?

Reply:

We have considered it on several occasions and continues to be kept under review as technology improves There does not appear to be a great demand from residents and given the financial challenges the Council faces then we still need to convinced that the necessary investment would deliver material benefits.

As you will be aware the law also recently changed to allow residents to make their own recordings of Council meetings in many circumstances which allows for a record to be taken by those who have an interest in a matter.

3. From Derek Holl to the Portfolio Holder for Renewal, Recreation and Housing

What is the latest position on the provision of planned modular homes in Bromley Borough, how many units will be deployed and at which sites in the borough?

Reply:

As previously approved by the Council's Executive, officers are exploring the potential to use off-site modular construction methods for the development of new affordable homes on a number of smaller sites across the borough with work currently underway to secure suppliers. The aim is to provide relatively speedy delivery of new affordable homes to meet the acute housing need being faced in Bromley and relieve the current budgetary pressures in relation to homelessness and temporary accommodation provision. There are currently 3 sites being explored: namely York Rise, Bushell Way (formerly Banbury House) and Anerley Town Hall overflow carpark. Overall it is estimated that across these 3 sites in the region of 80 new homes could be accommodated. Decisions to proceed will be subject to Executive approval of the full business cases, full consultation and planning permission.

4. From Derek Holl to the Portfolio Holder for Renewal, Recreation and Housing

How many people can these units accommodate when full and what is the process for allocating people to these units?

Reply:

All units would be fully self-contained new homes and as such the number accommodated would be dependent upon the size of each new home. Each site would include a range of property sizes up to a maximum 3 bedroom home but these would predominantly be 2 bedroom family sized homes which could accommodate a couple plus 2 children.

Allocation would be to those local people to whom the Council owes a rehousing duty in line with the Council's approved allocation policy for affordable and temporary accommodation.

5. From Derek Holl to the Portfolio Holder for Renewal, Recreation and Housing

How will support be provided?

Reply:

The new homes proposed would be offered to those families who are fully able to sustain independent accommodation and comply with the responsibilities set out in the tenancy agreement, predominantly those facing housing difficulties purely because they are unable to afford accommodation in the current housing market. A full housing management and maintenance service would provide tenancy management and support to tenants. The Council's Housing Resettlement and Floating Support can also provide some additional advice and support when setting up their new home.

COUNCIL MEETING

8th April 2019

QUESTIONS FROM MEMBERS OF THE COUNCIL FOR ORAL REPLY

1. From Cllr Nicholas Bennett JP to the Environment and Community Services Portfolio Holder

If he will circulate in writing the number of graffiti incidents which have been reported in each year since 2010?

Reply:

The following are the number of verified graffiti incidents received and attended to by the Council's service provider. For ease, these have been broken down into financial years with the total incidents being 8,419.

09/10 = 915
10/11 = 616
11/12 = 717
12/13 = 377
13/14 = 682
14/15 = 1,024
15/16 = 1,136
16/17 = 819
17/18 = 964
18/19 = 1,169

Supplementary Question:

Cllr Bennett asked whether the trend was up or down.

Reply:

The Portfolio Holder responded that it fluctuated.

Additional Supplementary Question:

Cllr Simon Jeal asked whether the costs of cleaning graffiti by ward could be circulated.

Reply:

The Portfolio Holder responded that he was not sure if the information was necessarily available broken down by ward.

Additional Supplementary Question:

Cllr Kathy Bance asked whether Street Friends groups were still issued with graffiti removal equipment.

Reply:

The Portfolio Holder responded that he understood that the kits were still available, but he thought that graffiti cleaning was undertaken less by Street Friends and more by the contractor.

Additional Supplementary Question:

Cllr Simon Fawthrop asked whether the Portfolio Holder was aware that Councillors in Petts Wood and Knoll carried out regular graffiti inspections, and that the amount of graffiti in the ward was almost zero other than that on railway land.

Reply:

The portfolio Holder stated that he thought that this was common practice in wards across the borough.

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

At the last meeting of this Council I asked for details of the legal costs incurred by the Council in the more recent BWSFB planning appeal. The reply given was that this information could not be provided because of a confidentiality agreement.

Please give details of who initiated this agreement, why it was deemed necessary, and who the signatories were?

Reply:

The Council's legal team advise that the Council were offered discounted rates which are not routinely available. As a consequence Counsel has refused to waive commercial confidentiality.

It would be foolhardy to breach this as irrespective of other consequence and the risk of reputational damage; it may mean the Council would fail to attract beneficial rates in the future. I have seen the correspondence myself today.

Supplementary Question:

Cllr Wilkins repeated that she wanted to know who the confidentiality agreement was between.

Reply:

The Leader stated that his advice was that such arrangements framed the relationship between a lawyer and their client.

Additional Supplementary Question:

Cllr Wilkins insisted that, as the client was the Council, all sixty individual councillors were entitled to know the cost.

Reply:

The Leader repeated that the client was the Council, not individual councillors. As well, on a personal level, he did not care whether the figures were released or otherwise, he was merely repeating the advice provided by the Council's legal team.

Additional Supplementary Question:

Cllr Nicholas Bennett asked whether a global figure for the costs could be provided.

Reply:

The Leader repeated his advice that he could not reveal any details, but was happy, as ever, to follow legal advice on this matter. He advised that Counsel did not want their fee discussed, and that was the end of the matter as he was advised in law. He could not reveal information that he had been advised legally not to.

3. From Cllr Simon Jeal to the Portfolio Holder for Renewal, Recreation & Housing

How many people did Council staff refer to Bromley Homeless Shelter over the winter period and how many rough sleepers in the borough were additionally provided with accommodation under the severe weather emergency protocol?

Reply:

During the winter period a total of 24 people were referred to the winter night shelter since it opened in November. The severe weather emergency protocol was activated on 4 separate occasions. During the SWEP activation periods a total of 5 rough sleepers approached and were offered placements by the Council.

Supplementary Question:

Cllr Jeal asked whether the Portfolio Holder would join him in thanking the volunteers from local churches who had helped run the shelter.

Reply:

Cllr Morgan stated that he was very happy to endorse this.

Additional Supplementary Question:

Cllr Aisha Cuthbert asked whether the Portfolio Holder was aware that neighbouring boroughs had much higher numbers of rough sleepers than Bromley, and she praised the excellent prevention work by officers.

Reply:

The Portfolio Holder agreed with Cllr Cuthbert's statement.

4. From Cllr Kathy Bance MBE to the Portfolio Holder for Renewal, Recreation & Housing

Can the Portfolio Holder advise whether there are plans to put housing for homeless people on the site of the former Harris Aspire School in Lennard Road?

Reply:

The Council does not hold an interest in this particular land. The land has transferred to the academy trust and therefore would not feature in the potential sites being considered by the Council for housing to assist in meeting homelessness and housing need.

Supplementary Question:

Cllr Bance stated that she would inform residents of the reply, and asked whether a list of the sites for temporary homeless accommodation could be circulated.

Reply:

The Portfolio Holder responded that when suitable sites came forward there was always consultation with the ward councillors.

5. From Cllr Marina Ahmad to the Portfolio Holder for Children, Education and Families

How many children are expected to be accommodated at the primary SEND provision in the Glebe School?

Reply:

The Glebe School is a secondary school: there are no plans to admit secondary pupils.

Supplementary Question:

I understand that primary SEND provision is being considered at the Hawes Down Centre? What happens when that is built?

Reply:

As part of the Leader's Manifesto, we are bidding for a new specialist Free School for key Stage 2 pupils (7-11) and part of this process has been approved. This is not associated with any particular school - it is a competitive process with the Secretary of State. Our bid for 50-55 children will relieve pressure on these places.

Additional Supplementary Question:

Cllr Simon Jeal asked who had been consulted about the process, and what needs were being addressed?

Reply:

The Portfolio Holder referred Members to Council policies which anyone could look at. He commended Cllr Nicky Dykes' work on this.

Additional Supplementary Question:

Cllr Angela Wilkins asked the Portfolio Holder to clarify what happened when the 55 places were filled?

Reply:

When the places are filled we will look at the situation and consider further provision.

6. From Cllr Vanessa Allen to the Portfolio Holder for Resources, Commissioning and Contract Management

Do interim directors cost more or less than their equivalent or previous post holders? By what margins?

Reply:

There is no separate budget for interims or agency staff including interim directors. They are recruited against a budgeted established post. Therefore, it means that interims are recruited within the cost (including on-cost) earmarked for a permanent post.

Supplementary Question:

Cllr Allen asked what the effect of vacancies was on staff.

Reply:

The Portfolio Holder responded that there would be temporary increases in workload while new members of staff were recruited. He added that in some cases it was necessary to reduce the hours of temporary staff to stay within budget, and this might have a knock-on effect on other staff.

7. From Cllr Josh King to the Portfolio Holder for Renewal, Recreation & Housing

Would the Portfolio Holder agree that the Capital Letters, a collaborative approach to supporting homeless households, formed by several London Boroughs across all parties provides a compelling alternative to Bromley's current out sourcing, especially following the recent draw down of £2.5 million from contingency? Will he investigate membership for Bromley?

Reply:

Capital Letters is a new scheme which is currently being developed through London Council's to try and procure accommodation from the private sector, similar to the existing schemes run through the Council's private sector leasing contracts and private rented sector incentive lettings schemes. Capital Letters has been designed to complement and run alongside schemes to source affordable housing such as the housing acquisition and development programmes. This Council has worked closely with London Councils in the setting up of the scheme. However, as with a number of Boroughs, some concern has been raised as the costs currently proposed to acquire and 'top up' the rental and management costs of accommodation sourced through this route appear to exceed the costs currently incurred by the Council. The decision was taken previously to monitor the progress of the scheme very closely once it is operational in order to assess whether there would be benefit to Bromley in joining the scheme to provide an additional supply of accommodation. This option will be fully considered as the next phases presenting the opportunity to join arise in years 2 and 3 of the scheme.

8. From Cllr Ian Dunn to the Portfolio Holder for Resources, Commissioning and Contract Management

A report has recently been published (by Campaign for FOI) which shows that Bromley Council is fourth worst in London for processing FOI requests. Only 60% (against a target of 90%) of FOI requests to LBB are processed within the time limit of 20 working days.

The council also fails to produce and publish the following:

- a report on its FOI performance (and therefore lacks a basic tool for improvement)
- details of how long it actually takes to answer FOIs not met within 20 days
- details of the number of complaints made about itself to the Information Commissioner
- details of any tribunal appeals with outcomes

What action is to be taken to address these failures?

Reply:

I am advised that the report covered a period when the Council's performance had dipped to the lowest it had been since FOI was introduced. As well that, if the report had taken place a few months either side then performance would have been better and historically we have been performing at around the London average.

That being the case there are no plans to address any perceived "failures" - we are currently responding to around 80% of requests within the deadline.

Supplementary Question:

Cllr Dunn stated that performance had been at around 77% in 2014 before central resources were removed. He asked whether performance would have been better if that resource had not been removed.

Reply:

The Portfolio Holder stated that he was comfortable with current levels of performance, and he wanted to give priority to residents with genuine requests rather than journalists or students.

9. From Cllr Kevin Brooks to the Portfolio Holder for Adult Care & Health

There is currently a planning application affecting Yeoman House in Penge proposing change of use from offices to residential housing. These offices are currently used by Bromley Council and NHS Oxleas to support clients with severe Mental Health issues. Will the Portfolio Holder guarantee that in the event of the application being permitted, a permanent site is found in the north of the London Borough of Bromley for these important support services to be delivered?

Reply:

I am unfortunately not in a position to guarantee that a permanent site is found in the North of the Borough as it is not within the gift of the Council; rather it is a matter for the NHS, in this case Oxleas, to decide where their services are provided.

I have asked Oxleas' to provide further information and to confirm how service users have been and will continue to be involved in the proposed move and will obviously update all interested parties as and when that information is to hand.

Supplementary Question:

Cllr Brooks repeated that it was necessary to retain services in the north of the borough. He had heard that Beckenham Beacon might be used, and he urged the Portfolio Holder to encourage this.

Reply:

The Portfolio Holder confirmed that she had recently met with senior managers at Oxleas, and it was their long-term plan to move to the Beckenham Beacon, subject to negotiations being completed. A site in Penge had also been identified as a back-up.

Additional Supplementary Question:

Cllr Brooks asked whether this was the Oakfield Centre.

Reply:

The Portfolio Holder responded that Beckenham Beacon was the main proposal.

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

What progress has been made in obtaining a meeting with a representative of the planning inspectorate to discuss a common approach to planning applications in the Petts Wood Area of Special Residential Character?

A Petts Wood Residents' Association committee member writes:-

"Re 40 Manor Way - the Planning Inspector states that several pairs (7) of semis have been imbalanced already by only 1 of the pair having a loft

conversion (highlighted by the appellants). Of these 7 pairs, 4 had loft conversions installed prior to 1999. Three had full planning permission (the 4th I cannot tell from the LBB website but possibly predates 20 years old). Of the remaining three pairs of imbalanced semis, one had full planning permission (2002), one was put in under PD (2011) and one just had Building regs (2010).

Some 23 out of 67 houses in Manor Way have loft conversions. This represents 34% of the properties. 10 have full pp, 6 have were put in under PD, 6 with building regs only and 1 where I cannot ascertain (number 52). I now see that new residents at number 1A Manor Way have applied for a loft conversion under PD citing the allowed appeal at 40 Manor Way (same designer - Crofton Design).

I have one question; in the case of Manor Way the Planning Inspector quoted other properties have similar loft conversions. How many or what percentage would be needed for a dismissed appeal?"

The ASRC was created in response to residents' concern at the quality of their garden suburb being eroded by successive out of character permitted development applications. i.e. They wanted no more.

An unelected planning inspector from Bristol, with no knowledge of the history of the area, has now effectively ruled that Manor Road residents may continue to ruin the character of their area as much as they like.

Attempts by ward councillors to have a meaningful dialogue with the planning inspectorate have been treated as complaints and entered the complaints procedure which, of course, the planning inspectorate takes 'very seriously'.

Reply:

Cllr Michael responded that she had written to the Planning Inspectorate seeking a meeting, but had received a disappointing reply from the Director of Strategy - she read out the salient parts of the letter. The Director could add little to what had already been said to Jo Johnson MP and Cllr Fawthrop - he could only guarantee consistency of approach, not outcome, describing how different inspectors would need to use their judgement to give different weight to different matters. Inspectors' decisions were final and he saw no reason to go over previous cases.

Supplementary Question:

Councillor Owen stated that he wanted to show Petts Wood, rather than examine particular sites, and asked the Chairman whether she could suggest any other approach.

Reply:

The Chairman stated that she would take the matter up with the Minister if necessary.

Additional Supplementary Question:

Cllr Fawthrop echoed the thanks of Cllr Owen to the chairman for pursuing this matter, and asked whether she would arrange a meeting between the three ward councillors and the Chief Planner.

Reply:

The Chairman responded that she would be happy to do that.

11. From Cllr Nicholas Bennett JP to the Resources, Commissioning and Contract Management Portfolio Holder

What percentage of the Council's income was received from:

- Council tax
- Government Grant
- Fees and charges
- Return in investment

in 2010 and how this compares with 2019-20?

Reply:

The Portfolio Holder explained that the detail would be circulated (see table below) but emphasised that although overall income had dropped by £108m in this period, and Government funding had reduced by £174m, the Council had still balanced its budgets. There was still a massive challenge to cope with losing a further £32m in the next three years.

**Comparison of Council Income 2009/10
and 2019/20**

	2009/10 £000	2009/10	2019/20 £000	2019/20
Council Tax	129,715	20.3%	159,851	30.1%
Core Government Funding				
* Business Rates	52,175	8.2%	39,810	7.5%
RSG	12,043	1.9%	0	0.0%
Other Government Grants	374,078	58.5%	225,269	42.4%
Fees & Charges	45,144	7.1%	52,107	9.8%
Return on Investments				
Investment Properties	5,372	0.8%	11,828	2.2%
Interest on Balances	4,479	0.7%	3,291	0.6%
Other Income	16,067	2.5%	39,169	7.4%
Total Income	639,073	100%	531,325	100%

* Although Business rates are collected locally they are re-distributed by Central Government and this represents the amount retained by the Council.

Supplementary Question:

Cllr Bennett asked for the percentages (set out above.)

(As the time limit of thirty minutes had been reached, the Mayor announced that the remaining questions would receive written answers.)

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

Why does the Council not routinely provide Equality Impact Assessments and Social Value Impact Assessments in reports to its committees?

Reply:

To avoid unnecessary bureaucracy and needless additional expense to Council Officers' time and Council Tax Payers' money.

In short, there is no need to provide equality impact assessments every time a report is written unless there is a justification for it.

Managers are thoroughly aware of the need and importance of presenting equality implications as well as the legal, finance, HR and any wider policy implications in Committee reports or in a separate document to Members for consideration if relevant.

13. From Cllr Simon Jeal to the Portfolio Holder for Adult Care & Health

Owners and operators of care/nursing homes and agencies are extremely worried about the impact of Brexit on staffing. What action is she taking to mitigate this both to support the private sector and to ensure the council's staffing needs are met?

Reply:

I can only repeat my response to a similar question from Cllr Wilkins at the last Adult Care and Health PDS Committee concerning preparations for Brexit and specifically the supply of carers.

I confirmed at that time that no concerns had been raised by senior officers who have been working with our providers locally, and that continues to remain the case to date.

14. From Cllr Kathy Bance MBE to the Portfolio Holder for Children, Education and Families

Excellent work is being done by Bromley Youth Council yet this is not reflected on the Council's website. Please explain why not and please give a firm date by which this problem will be resolved?

Reply:

No concern has been raised by the Youth Council who currently have various media platforms. We are in constant communication with the young people and we'll seek from them what exactly their digital aspirations are. We are always mindful of safeguarding our young people online.

15. From Cllr Marina Ahmad to the Portfolio Holder for Renewal, Recreation & Housing

Will he agree with me that the current permitted development rights within planning law, coupled with the limitations around the licensing of HMOs are inadequate in

ensuring provision of good quality housing whilst also protecting the quality of life of neighbours and residents?

Reply:

The permissions and consents relating to Permitted Development Rights and HMO licensing are set by national government but are applied locally. As such, they do not always give local authorities the remit to challenge certain developments. Indeed, the rights afforded by permitted development give home owners greater freedom in enlarging their home greater than the norm, without the need for full planning permission. However, on 30 May 2019 the Government's current view about Permitted Development Rules will again be reviewed (and possibly revised).

With regards to the HMO Mandatory Licensing scheme, the purpose of this regime was to ensure that the safety of tenants is protected and that appropriate management arrangements have been made for the property, and that internal conditions are satisfactory - the location of the property is not a factor. If in licensing a property issues arise in the neighbourhood, then these would be dealt with by the appropriate legislation.

16. From Cllr Vanessa Allen to the Portfolio Holder for Resources, Commissioning and Contract Management

What initiatives have been taken to look at options for income generation?

Reply:

The approach to generating income is reflected in the 'One Council' approach, included in the 'Draft 2019/20 Budget and Update on Council's Financial Strategy 2020/21 to 2022/23' report to Executive on 16th January 2019. This includes future plans for community infrastructure levy, review of the Council's assets (review of investment portfolio, disposals etc.), utilisation of the Council's Growth Fund and Investment Fund, generating investment income and review of fees and charges. This work will be enhanced through the planned Transformation Review. The challenge in addressing the 'budget gap' is identifying new income opportunities which will be considered within the Transformation Review.

Any investment resources are not solely available for generating income but ensuring that significant financial savings can be delivered. As reported to Members previously, future utilisation of the Growth and Investment Fund will be prioritised for housing investment at this stage.

The initiatives range from the planned site G development and new Bromley South development which will generate additional business rate income, lending to a developer to support a key homelessness initiative, achieving top decile performance in treasury management from a range of investment initiatives (outcome of additional income), achieving considerable income from investment properties, Cushman and Wakefield review of property income, recent asset disposals and further income from the recent review of fees and charges. The Council's investment income is estimated at £15.3m in 2019/20 (see response to Q11, Cllr, Oral Reply) and fees and charges are £52.1m in 2019/20.

Council Tax remains another key source of income, whilst income from Government continues to fall.

17. From Cllr Josh King to the Portfolio Holder for Environment and Community Services

After the contractor responsible for street lighting went into administration, for how many days were street lights switched on during the daytime, how many street lights were affected and what was the cost?

Reply:

To clarify the position; it was the software provider for the CMS system and manufacturer of the CMS components that went into administration. Street lighting is part of the Highways Contract, they and the lantern manufacturer remain in business. The energy data provided by Power Data Associates (who monitor our CMS sub-meters), shows that our consumption has increased by approximately 7,633 kWh per day for the 13,000 lamp columns affected. This equates to £9,443.87 for the 7 day period involved.

18. From Cllr Nicholas Bennett JP to the Resources, Commissioning and Contract Management Portfolio Holder

What research is being undertaken as to how Artificial Intelligence can transform Council services?

Reply:

I have been working with Officers to monitor AI developments within the industry for some time and I am excited by the possibilities that it might present. We already have some applications of AI, for example automation and semi decision making software has already been used by the Parking Service team, bringing about improvements for the customer and making the service more efficient.

There are many potential service developments which could come forward in the future in an industry where it is still 'early days', with our IT specialists keeping closely appraised with industry developments. Officers on my direction recently met with Dr Owusu, who heads up BT Global Service & Enterprise Management Research to explore how AI could benefit the Council. He is undertaking work elsewhere on using AI to provide efficient transportation for adults and children and this is something we will be following up on.

We are currently exploring Live Chat bots that potentially could sit on our website and provide quick information to the website visitors and if viable then I will instruct officers to bring the necessary formal reports forward.

Cllr Bennett may also be interested to note the developments of FiveAI, who are currently testing an autonomous vehicle on Bromley's roads and whilst this does not require Council approval, we are nevertheless watching this with interest.

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

Why did he vote against the proposal at Constitution Improvement Working Party to extend the time allocated for public questions at full Council?

Reply:

Not that I feel compelled to respond given that the meeting was a private one and should have been respected as such by all Members who attended, for two reasons. One of which I directly advised Cllr Wilkins about on the evening in question.

Firstly, because I believe the current arrangement worked perfectly well for the purpose intended and in short that the system wasn't bust so therefore didn't need fixing.

Secondly, as discussed, because the system as it stood was nevertheless being routinely abused by local opposition party activists, very much including Cllr Wilkins' own, asking questions they more often than not already knew the answers to, or which could easily be sourced by simple emails or telephone calls, in an attempt to score petty party political points at the expense of busy Council Officers' time and Council Tax payers money.

Appendix D

COUNCIL MEETING

8th April 2019

QUESTIONS FROM MEMBERS OF THE COUNCIL FOR WRITTEN REPLY

1. From Cllr Kathy Bance MBE to the Children, Education and Families Portfolio Holder

How many children or young adults who are on the Gangs Matrix or identified as associated with County Lines have a history of being excluded from school at some point?

Reply:

Eight children were excluded at some point and are known to the Local Authority MEGA (Missing, Exploitation and Gangs Affiliation) panel. The MEGA panel meets fortnightly with multi agency partners to consider support and managing any safeguarding risk.

2. From Cllr Ian Dunn to the Portfolio Holder for Resources, Commissioning and Contract Management

What preparations are being made for the devolution of business rates and the government's policy that local authorities become largely self-funding?

Reply:

More detailed proposals around the devolution of business rates are still awaited. The current plans are that the current devolution of 100% business rates across London (including GLA) will reduce to 75% from 2020/21 and it remains unclear whether there are opportunities for the London Business Rate Pool which provided additional financial incentives compared with devolution to individual local authorities. We are some way from the final proposals.

We continue to support businesses in the borough and support economic growth. Economic development creates employment opportunities, potentially reduces the cost of council tax support and generates income through business rates share. It will also help improve the wellbeing in the borough.

A note of caution relating to business rate devolution is that any Government plans are expected to be fiscally neutral and after allowing for planned future reset periods the incentives are only short term – this does not help for longer term financial planning.

As illustrated in the earlier response to a question (Questions from Councillors for oral reply - question 11), 42% of the Council's income is met from Government grants and although this percentage continues to fall the Council becomes 'more' self-sufficient but not self-sufficient. Given the level of statutory duties facing the Council

there will continue to be a dependency on Government funding in the short and medium term, particularly given the retained responsibilities to meet housing and social care needs.

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

Can the Portfolio Holder provide the names of the Primary and Secondary Schools whose travel plans are accredited as gold, silver and bronze and the schools whose travel plans are not yet accredited?

Reply:

Please refer to attached document (Appendix 1.)

4. From Cllr Angela Wilkins to the Portfolio Holder for Public Protection & Enforcement

Please provide details of police numbers allocated to Bromley in 2010 and 2018?

Reply:

This data is not held by the Public Protection Team and has to be requested directly from the Police. The Police have confirmed that they will not meet the deadline and will send the information as soon as possible.

5. From Cllr Tony Owen to the Portfolio Holder for Environment and Community Services

What is the detailed timetable for 'consultation' on the £1 million per mile Crofton Road cycle lane proposals?

Reply:

The Crofton Road scheme is a walking and cycling scheme. The consultation and engagement exercise will take place in the summer building on the extensive face to face engagement that has taken place to date, much of which was completed prior to the decision to fund the scheme. Aspects of the consultation such as the location have been developed in consultation with local members and residents including VI residents.

SECONDARY SCHOOLS	Level
<i>Bromley Beacon Academy</i>	B
<i>Darul Uloom School</i>	B
<i>Langley Park Boys School</i>	B
<i>Bullers Wood Girls</i>	G
<i>Chislehurst School for Girls</i>	G
<i>Coopers</i>	G
<i>Glebe School</i>	G
<i>The Ravensbourne School</i>	G
<i>Langley Park Girls School</i>	G
<i>Baston School</i>	N
<i>Bromley Trust Alternative Academy</i>	N
<i>Bullers Wood Boys</i>	N
<i>Eden Park High</i>	N
<i>Harris Aspire Academy**</i>	N
<i>Harris Beckenham</i>	N
<i>Harris Bromley</i>	N
<i>Hayes School</i>	N
<i>Kemnal Technology College</i>	N
<i>London South East Colleges</i>	N
<i>Newstead Wood School</i>	N
<i>Ravens Wood School</i>	N
<i>St Olave's School</i>	N
<i>The Tutorial Foundation</i>	N
<i>Bickley Park Snr</i>	S
<i>Bishop Justus School</i>	S
<i>Charles Darwin</i>	S
<i>Derrick Wood School</i>	S
<i>Harris Orpington</i>	S

PRIMARY SCHOOLS	
N	Biggin Hill Primary
N	Bromley High
N	Castlecombe
N	Chelsfield Primary
N	Edgebury Primary
N	Gray's Farm
N	Harris Primary Crystal Palace
N	Harris Primary Orpington
N	Hawes Down
N	James Dixon Primary
N	Langley Park Primary
N	Midfield Primary
N	Oak Lodge Primary
N	Oaklands Primary
N	St David's College
N	St George's CE Primary
N	St James' RC Primary
N	St Mary Cray Primary
N	St Peter & St Paul RC
N	St Vincent's RC
N	The Highway
N	Wickham Court
B	Balgowan Primary
B	Bickley Park School
B	Bishop Challoner Jnr
B	Breaside School
B	Clare House Primary
B	Green Street Green
B	Harris Primary Kent House
B	Riverside School
B	Scotts Park Primary
B	St Mark's CE Primary
B	Stewart Fleming
B	Blenheim
B	Darrick Wood Junior
B	Farnborough Primary
B	Harris Primary Shortlands
B	Highfield Infant
B	Highfield Junior
B	La Fontaine Academy
B	Marian Vian Primary
B	Perry Hall Primary
B	Pickhurst Junior
B	Poverest Primary
St John's CE Primary	S
St Joseph's RC Primary	S
St Philomena's RC	S
Unicorn Primary	S
S	Alexandra Junior
S	Pratts Bottom
S	Raglan Primary
S	St Christopher's
S	Trinity
S	Tubbenden Primary
S	Warren Road
S	Crofton Junior School
S	Dorset Road Infant
S	Holy Innocents
S	Keston CE Primary
S	Leesons Primary
S	Red Hill Primary
S	Southborough Primary
S	St Mary's RC Primary
S	Wickham Common
S	Alexandra Infants
S	Babington House
S	Bickley Primary
S	Burnt Ash
S	Cudham CE Primary
S	Harris Primary Beckenham
S	Hayes Primary
S	St Paul's Cray CE
S	Worsley Bridge Junior
G	