

RENEWAL, RECREATION AND HOUSING POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 9.00 am on 20 December 2019

Present:

Councillor Michael Rutherford (Chairman)
Councillor Suraj Sharma (Vice-Chairman)
Councillors Gareth Allatt, Yvonne Bear, Julian Benington,
Nicholas Bennett J.P., Josh King, Alexa Michael and
Gary Stevens

Also Present:

Councillors Marina Ahmad, Vanessa Allen, Ian Dunn,
Peter Morgan, Michael Tickner and Angela Wilkins

39 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Kim Botting; Councillor Nicholas Bennett JP attended as substitute.

40 DECLARATIONS OF INTEREST

Councillor Michael declared a non-pecuniary interest as she was a librarian by profession but did not currently work in that capacity. She also declared that this would not have any impact on her consideration of the item.

41 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

A total of 14 oral questions were received from members of the public. A copy of those questions, together with the Portfolio Holder's responses are set out in Annex A to these Minutes.

A further 26 questions would receive a written reply; a copy of those questions together with the Portfolio Holder's responses can be viewed at Annex B.

42 BECKENHAM LIBRARY AND CULTURAL VENUE - AUTHORITY TO PROCEED TO PROCUREMENT: CALL-IN

Report CSD19181

At its meeting on 27 November 2019, the Executive considered a report on the Beckenham Library and Cultural Venue –Authority to Proceed to procurement. The report had previously been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 5 November 2019 and by the

Executive, Resources and Contracts PDS Committee on 20 November 2019. The Executive decided to approve the proposals as recommended in the report however, the decision had been called in by Councillors Josh King, Angela Wilkins, Vanessa Allen, Ian Dunn, Marina Ahmad and Kevin Brooks with support from other members of the Labour Group. This Committee was requested to consider what action should be taken in response to the call-in of this decision.

The Chairman outlined the reason for the call-in as follows:-

“The recommendations as approved do not reflect the discussion at the meeting. Recommendation 2 commits the Council to the use of the current library site for housing irrespective of the outcome of the viability study referenced in Recommendation 1.”

Visiting Ward Member for Clock House, Councillor Ian Dunn considered the recommendations approved by the November Executive did not reflect the discussion at the meeting and the decision was flawed in a number of ways. He focused on the following specific points:-

- 1 The complete lack of any evidence or analysis in the paper to support the decision in principle to demolish the library and replace it with housing.
- 2 The impact on the Elm Road Conservation Area.

In conclusion, Councillor Dunn requested the Committee to refer the report back to the Executive for reconsideration.

A full copy of Councillor Dunn’s representations can be viewed at [Annex C](#) to these Minutes.

Visiting Ward Member for Clock House, Councillor Vanessa Allen addressed the Committee on the housing element of the proposals. The planning application for the Library site, quite apart from the Conservation Area issues, would be objected to on the grounds of mass and height, and would result in a clear lack of any outdoor amenity space for residents, let alone the loss of public open space which was currently enjoyed.

In conclusion, Councillor Allen contended that the proposed development of this site did not conform with Bromley’s Local Plan, and contradicted planning guidelines.

A full copy of Councillor Allen’s representations can be viewed at [Annex D](#) to these Minutes.

Visiting Member Councillor Angela Wilkins made the following points in regard to process:-

- Only comments from Copers Cope members were reported – it was worth noting that whilst this ward was the beneficiary of the proposal, Clock House Ward would lose a library.

- The report to the Executive made no reference to the library being in a conservation area.
- Cllr Morgan's comments, made at the Executive meeting were not included in the report pack currently before Members. They were extremely important because:
 - a) his comments made clear that this decision/recommendations were conditional; and
 - b) he spoke specifically about the provision of "social housing" on the site.
- Recommendation 3.2 was a very clear commitment to use the library land for housing of any type; it was in no way conditional on the outcome of the feasibility study referred to in 3.1.
- The decision should therefore be re-considered by the Executive.

Councillor King supported visiting Members Councillors Dunn, Allen and Wilkins.

Given the fact that the Regeneration and Culture division had explored the proposals, it was unclear how the scheme would fit in with the library operator GLL and its contract with the Council.

Various groups made use of the Public Halls despite reference to the building being underutilised. The removal of community space would have a significant impact on those groups and should, therefore, be retained.

The Quality Impact Assessment did not contain any reference to the loss of public space or the impact this would have on users.

The current library was a valued community hub with the spa, leisure centre and Venue 28 nearby.

The proposals included no investment. Proceeding with one element of the scheme was dependent on the sale of the other. Councillor King sought clarification that the new library would only be built once capital had been released from the sale of the existing site.

Councillor King moved that the decision be referred back to the Executive for the following reasons:-

- 1) the decision in principle to demolish the library building went against the policy in the Conservation Area documentation with the assumption that the site would be used for housing;
- 2) the Quality Impact Assessment was inadequate and had omitted assessments on various user groups;

- 3) there was no justification within the existing papers for the current library site to be used for housing; and
- 4) comments made at the Executive meeting had been omitted.

Visiting Ward Member for Copers Cope, Councillor Michael Tickner welcomed the wide public interest generated by the proposals.

The Council had a good history of protecting, enhancing and modernising the library service. He confirmed that the use of the existing library site for housing would only proceed if the feasibility study proved it viable to do so.

Councillor Tickner would like to see the library service improved with flexible working practices, longer opening hours and better use of space. He was not sentimental about the current library building and could see no reason why the proposal to relocate to a more central part of Beckenham should not be explored further.

Councillor Tickner requested that no further action be taken on the call-in.

The Chairman referred to the Executive Minutes of the meeting held on 27 November 2019 (page 53) in which the Leader had confirmed that if the proposals for the Public Halls did not proceed then the library site would not be sold. Resolution 2 at the bottom of page 53 also stated:- 'In principle, the existing Beckenham Library site be used for housing – the approach taken to deliver the housing will depend on the outcome of the review being undertaken by Lambert Smith Hampton and any subsequent agreement of a housing delivery vehicle would be subject to a further report'. The Chairman stated that any further report would be submitted to the RR&H PDS Committee for consideration.

He confirmed that the RR&H PDS Committee would not support redevelopment of the Beckenham Library site if the library itself was not moved.

Reverting to the report currently before Members, the Chairman explained that the only item for consideration on this call-in was the description of Recommendation 2 which, in his opinion, was incredibly clear and on that basis he moved that no further action be taken on the call-in. Councillor Sharma seconded the motion.

As Design and Heritage Champion, Councillor Bennett had been contacted by the Beckenham Society, Councillor Dunn and the other Ward Members in relation to the Beckenham Library requesting that the building be listed. He had considered the request very carefully and came to the conclusion that the building had not been listed for the past 80 years and English Heritage did not consider it should be. Although it was of historic interest it was not a building worthy of being listed.

Councillor Michael understood the public's concern and confirmed that the library would not be moved to the Public Halls if the viability study found it was not feasible to do so. She also confirmed that should the library move, the service provided would remain equal if not better.

Should the scheme progress, any planning applications would be considered on their own merits. In regard to the housing scheme, Councillor Michael would like the proposed units to be of a traditional design and the entire development should respect the Conservation Area.

Councillor Michael supported continued study of the proposals.

RESOLVED that no further action be taken in respect of the Call-in.

The meeting ended at 10.00 am

Chairman

This page is left intentionally blank

Renewal, Recreation and Housing PDS Committee

20th December 2019

Public Questions to the Renewal, Recreation and Housing Portfolio Holder

1. From Sue Blackburne

Please could the Council confirm that any consultation will include the possibility of not moving the library from its current location on the basis that the current premises are more suitable and preferred by local residents, and that it will not simply be a narrow consultation on the Public Halls refurbishment proposals/housing proposals?

Portfolio Holder's Response

The consultation will enable people to comment on the reasons that they do not support any proposal that comes out of the viability work.

Supplementary Question

Will the consultation be on the proposals to use the Library site for housing?

Portfolio Holder's Response

The viability study that we are doing is for the Public Halls not for the Library. So it is about moving the Library into the Public Halls and seeing how that works. That is what the consultation will be about.

Supplementary Question

So there will be an opportunity for people to say if they disagree with the proposal?

Portfolio Holder's Response

Yes of course.

2. From Graham Clayden MD FRCP FRCPCH

How was it possible that the committee concluded that there was no negative impact on children when the child population (2011 census) in the wards close (or safe access) to existing site greatly exceeds that of Copers Cope ward? Isn't crossing three major roads from station more dangerous than one?"

Portfolio Holder's Response

There is no negative impact on the child population as both sites are served by public transport which goes door to door, car ownership is high and children walking should be accompanied by parents. Older teenagers walking alone would have road safety awareness which is taught by schools and are expected to use pedestrian crossings.

Supplementary Question

There are a number of children who live in the wards affected and the ward closest to Clock House has the highest number. I am concerned that the children who can use the facilities for study (not just books), would be travelling by public transport and good access routes to the Library is vitally important. Libraries are more than just a place for books, they are a place for study. In the Building a Better Bromley document, the Council admits that giving Bromley's children the best start in life includes having a library. A library close to their physical exercise makes a lot of sense.

Portfolio Holder's Response

There are children distributed all over the town of Beckenham and a proper study will be undertaken however, in all probability there are more children living closer to the proposed new library. Children living at the other end will have the opportunity to visit Penge library as well. All of this will be looked at as part of the viability study.

Supplementary Statement

It is very important though for you to look at the feasibility and the access point. One thing you have to do is look at the speed of travel and easy access to a place. You will find that the population density around Clock House and Eden Park is where people live.

3. From John Mansi

Having spent £70,000 of resident's money, on consultants to progress the proposals, can you publish a full copy of their report. Please confirm that this contract was awarded in full compliance with applicable Council Procurement Rules?

Portfolio Holder's Response

£70,000 has not been spent, that is the estimated cost of undertaking the viability works which this report sought approval to proceed with.

Supplementary Question

Can you confirm that this contract was awarded in full compliance with applicable Council procurement rules?

Portfolio Holder's Response

The contract has not been awarded.

Supplementary Question

Will it be?

Portfolio Holder's Response

Yes, of course it will be.

Supplementary Question

And it will go out to full commercial tender and open to audit?

Portfolio Holder's Response

Yes.

4. From Garnet Frost

The Council has agreed to consider a report concerning these proposals, which is being compiled by The Beckenham Society. Eventually, this may consist of several chapters, but the most urgent and comprehensive submissions received to date refer to spatial measurements. Is the committee willing to hear an outline of this objective yet compelling evidence?

Portfolio Holder's Response

Whilst we are open to reading your work the Council will of course be appointing its own specialists to undertake the viability assessment. The sizes of the two buildings are already known – the main spaces in the existing library total 569m², and the main spaces in the Public Hall total 639m².

Supplementary Question

There is compelling evidence to refute that overall suggestion. I have with me here Mr Goy and Mr Cole who spent a long time measuring the spaces and checking one another's measurements and have produced some very compelling, graphics. I assume the purpose of this meeting is to examine evidence. We have factual evidence here. What is the point of the meeting if the evidence is not actually considered?

Portfolio Holder's Response

That is not the purpose of this meeting – that is what the viability assessment will do.

Supplementary Question

So what is the purpose of the meeting then?

Chairman's Response

The purpose of this meeting primarily is to discuss the wording of one of the recommendations from the Executive, Resources and Contracts PDS meeting. It is specifically about the use of the existing Beckenham Library site for housing in the event that the library proposal does not go ahead. I have read the documents submitted by Mr Goy and I think a lot of the difference in sizing comes down to whether the main hall will be used for library purposes or otherwise.

Portfolio Holder's Response

There has been a lot of confusion about what rooms in the Public Halls could be used as a library and that is what the feasibility study is all about. If I am not happy with the outcome, we will not do it.

Supplementary Question

The only way to squeeze the library service into the Public Halls would be to commandeer the lease from the Club.

Portfolio Holder's Response

No.

5. From Hulya Mustafa

As well as proposals to demolish the library and build flats, can the remit for any work by consultants also consider –

a) how to further enhance the library and other services in the current site, given it is a cultural and leisure 'hub' of which the Council should be proud of, and which it could value and improve and

b) other sources of income for the refurb of the public halls which would be of lower impact than demolishing the library, as the Council seems to be unable to identify any (although it is noted, they have managed to find £300k to refurb Bromley Library.) And if not, why not?

Portfolio Holder's Response

The work will address the viability of the proposal, and as such will also address the impact of not proceeding. Funding will be considered as part of this.

Supplementary Question

So the consultants are just looking at Beckenham Public Halls?

Portfolio Holder's Response

Yes.

Supplementary Question

They are not looking at what will happen to the current Beckenham Library site?

Portfolio Holder's Response

Not initially.

6. From Patrick McGrath

Why has the Churchfield Rd relocation of the Recycling centre to the 1 hectare site below its current position not been considered as a suitable alternative to permanently removing a considered community service? The relocation would free a 1.1 hectare site for housing development in an already residential area.

Portfolio Holder's Response

As far as we are aware this land is not for sale, and even if it were it is unlikely to be suitable for development in any case. We believe there are two pylons on the site and access is limited.

Supplementary Question

Having already spoken to the owners of that particular site, they were very eager to engage in that particular project which would have released the existing recycling centre land for development of housing. It would have been easier to develop something that was in a residential environment going with the residential requirements and also use brownfield sites which would encourage further negotiations with the Council to develop a relationship so the Council is not trying to squeeze these development and losing essential community icons.

Portfolio Holder's Response

The Council has to build 1,000 homes over the next three years. Every single site that the Council owns is being considered. Some sites are suitable, some are not and we have to find lots of other land besides. It may well include the Churchfield Road depot. We do not have a lot of brownfield land in Bromley.

Supplementary Question

To be more inclusive with arguments like this, in regard to the public who are bringing up these suggestions, a forum would be good where suggestions could be considered in a much better fashion. This could be bypassed altogether by taking on a 1.1 hectare piece of land which would obviously provide more housing than the site you are arguing about right now.

Portfolio Holder's Response

My point is, we need both.

7. From Mrs Caroline Duguid

Given that the library is already the 3rd most popular in the borough, has any research has been carried out as to what impact investment in its current site might have?

Portfolio Holder's Response

Previous experience, for example the move of Orpington Library, has shown that moving libraries in to town centres increases usage. There is no funding to invest in the library on its current site so this is not an option at this time.

Supplementary Question

You are claiming that the project is cost neutral, so if that is the case why not put the money straight into the Public Halls to refurbish that building and leave the library where it is?

Portfolio Holder's Response

It is only cost neutral if we develop the Beckenham Library site which will generate well over £2m as well as providing 50% affordable housing for the homeless. If we didn't develop the library site then we would not have the money to do the public halls.

Supplementary Question

The main point of the report is about the under-utilisation of the Public Halls not about the library. So why is it that our public buildings are being stretched so far that we are having to get rid of our valuable assets such as libraries just because the Public Halls (which is a very utilised within the community) has been left in this state. Why do we have to rob Peter to pay Paul in that respect?

Portfolio Holder's Response

Because I am afraid the public purse is very short of money. We have had austerity for the last 10 years and the budget has been cut by some £90m per year so we do not have the money to spend as we would like on our buildings.

Supplementary Question

I am just wondering, with an investment portfolio worth £350m and in 2019 an additional £19m investment in commercial property, could some of this money be used for housing on Bromley's existing Brownfield sites?

Portfolio Holder's Response

It will.

Supplementary Statement

The library is actually just a five minute walk away from the High Street in its existing state and is ideally located with The Spa, Beckenham Baptist Church and Venue 28. It is a really hub for the community there.

Portfolio Holder's Response

That point is noted.

8. **Stuart Froment**

The Equality Impact Assessment of October 2019 states, at the top of page 4, that the current Beckenham Library Building is tired and in need of repair and redecoration. Has the Council evaluated the cost of this work? If not, why not? If so, how much is it? Does the Council agree that all the services that could be provided at Beckenham Public Halls could just as easily be provided at the existing library?

Portfolio Holder's Response

The Council suspended its redecoration programme for all sites seven years ago so there is no budgetary provision. The Council reacts to urgent repairs as required and any required high value works are added to the planned programme. Statutory testing and any subsequent remedial works are carried out.

We think the Public Hall offers more scope for a developing library service than the current building, however this won't be known until this first stage of viability work is carried out.

Supplementary Question

It might be a good idea to have costed the refurbishment of the library so it could remain where it is? It seems odd to move forward with moving the library to the public halls without looking at whether or not it is possible to retain the existing library where it is.

Portfolio Holder's Response

Clearly it would be possible to retain the existing library where it is but what we achieve with this proposal is (a) a fantastic refurbishment of the Public Halls and (b) the provision of up to 40 new homes which is very much required.

Supplementary Statement

I am still slightly of the opinion that the existing situation should be examined before the whole matter proceeds much further than this.

9. **From Alan Old**

The Council makes reference for the urgent need to provide new housing in the borough, and uses this argument as a principal reason for demolishing the library and selling the site.

Two years ago, researchers at Jones Lang Lasalle carried out a report into building homes on council-owned sites used as surface car parks in suburban London, often old WW2 bomb sites. They identified 45 such sites in the borough of Bromley alone.

See this article in Homes and Property 17th September 2019: <https://www.homesandproperty.co.uk/property-news/world-car-free-day-2019-80000-homes-could-be-built-on-london-car-parking-spaces-within-a-mile-of-a-133491.html> ; and this one, in The Evening Standard, 2nd November 2017:

<https://www.standard.co.uk/news/london/building-flats-on-london-car-parks-could-solve-housing-crisis-report-suggests-a3674256.html>

Has the Council conducted feasibility studies on all of these assets with regard to providing housing, following the publication of this research?

Portfolio Holder's Response

Yes and this is an ongoing piece of work. To date three car park sites are being progressed for housing – Burnt Ash, Anerley and West Wickham, Station Road.

Supplementary Question

The Council has made reference to the urgent need to provide housing in the borough which is the reason for demolishing the library. JLL identified 45 sites in the borough itself. Has the Council assessed and carried out initial feasibility studies on all those sites?

Portfolio Holder's Response

I believe I am correct in saying we have. Some were immediately discarded as being unfeasible, others are still being looked at and at least three were deemed in a fit state to move forward with which is what we are doing. We are, however, looking at every single piece of land including car parks.

Supplementary Question

Will the Council publish their assessment of all of these 45 identified sites?

Portfolio Holder's Response

We hadn't intended to, there is no particular reason why we should but there's no particular reason why we shouldn't either. It is a big piece of work to ask officers to do and they are short of time but we will do it if we can.

Second Round of Questions

10. From Sue Blackburne

Has any thought been given to including a library in the proposed housing development project e.g. by having a dedicated library on the ground floor of the housing and if not, why has that not been considered?

Portfolio Holder's Response

This has not been considered as the Equality Impact Assessment has shown there to be no negative impacts that can't be mitigated in relation to the potential move. Moving the library to the Public Hall would bring the library into a more central location and bring a new lease of life to the building.

Supplementary Question

It seems like an obvious alternative proposal – I am wondering why the different, various options have not been explored because that certainly seems to be one that might satisfy different interests in terms of what people want.

Portfolio Holder's Response

Yes. It makes sense on the face of it but the fact of the matter is that if we put the library back on the ground floor (a) we would have a problem for two years whilst it was being built (which could be overcome with temporary building but that is not satisfactory) and (b) a great many of the housing units would be lost and therefore no cash would be generated from the development and subsequently we could not refurbish the Public Halls with that money.

Supplementary Question

But if it is a five storey building, you wouldn't lose that many units if you kept the library on the ground floor.

Portfolio Holder's Response

We would clearly lose some.

11. From John Mansi

I understand that you have allocated a further £300,000 for further hire of consultants. Can you please issue the parameters that will be laid on any future consultants and confirm that this will be subject to all procurement rules which apply?

Portfolio Holder's Response

The specification cannot be shared until after the tender process has taken place. Procurement rules will be adhered to.

Supplementary Question

How will we get to audit the process as members of the public?

Portfolio Holder's Response

From all tenders that the Council puts out, the results are submitted to the appropriate committee. If it is a very big project (in terms of money), it also goes to the Executive, Resources and Contracts PDS Committee and the full Executive of the Council. All of these committees audit the process on behalf of the public. Sometimes, in terms of the results of the actual bid are commercially confidential and are studied in Part 2 of the Council agendas and are, therefore, not available to the public.

Supplementary Question

Will we be able to audit the bid document as members of the public and how will we get access to it?

Portfolio Holder's Response

As far as I know, yes. I will find out how and let you know.

12. From Hulya Mustafa

The proposals cite a potential 5-storey development of 46 flats and 33 parking spaces. This gives a very finely balanced financial case of c £2m to refurbish the public halls. However, a 5-storey block is unlikely to get planning permission in a conservation area, and councillors have already recognised that 46 flats is a maximum and will likely be less. In addition the proposal includes 33 parking spaces, which given the acknowledged well-served location, is unnecessary and unenvironmental, so this should also be reduced. A reduction in number of flats or parking, will inevitably impact the amount any developer will give for the land, impacting the financial case.

In the Council's current view, at what point -

- (a) will the value of the land (as determined by the anticipated planning value) cease to be viable, and indeed become an overall financial cost to the council? and
- (b) will the number of housing units possible make it unattractive, given the complexity of the project and significant loss of amenity involved?

Portfolio Holder's Response

At this time the viability assessment will work on a cost neutral basis, however this may change in the future.

Supplementary Question

You are trying to make enough money from the existing Beckenham Library site to cover the refurbishment of Beckenham Public Halls. How much is that?

Portfolio Holder's Response

We have set a maximum of £2m.

Supplementary Question

In your previous answer you said if you lost the ground floor to another library that reduces it. You said yourself you did not think it would be five storeys and that reduces it. Do you have any sense at what point (given the planning application), you would consider the scheme is not financially viable or unattractive in terms of the number of houses that could be built?

Portfolio Holder's Response

To raise £2m we would need about 20 units possibly a few less units than that.

Supplementary Question

And what about parking and amenity space?

Portfolio Holder's Response

The parking is part of the units element and in accordance with the Mayor's parking provision in the London Plan.

Supplementary Question

Does that mean you could go ahead with this proposal by just having 20 private homes and not having the affordable units?

Portfolio Holder's Response

I don't think we would do that.

Supplementary Question

Have you considered building on The Spa car park which is just behind, given what you were saying about surplus car parks?

Portfolio Holder's Response

The Spa car park is for users and is a different issue than parking for residents. So I doubt we would want to do that. But we will consider anything.

13. From Mrs Caroline Duguid

With an investment portfolio worth £350 million in 2019 and an additional £90 million investment in commercial property, could some of this money be used for housing on Bromley's existing brownfield sites instead of selling off more public assets and fundamentally altering the character and function of an existing conservation area?

(The library is currently very well placed as part of a hub consisting of the Spa, the Library, Venue 28, Beckenham Baptist church and the Clock House parade of shops as well as being a 5 minute walk from Beckenham High Street.)

Portfolio Holder's Response

The Council is utilising some of its capital monies to take forward housing schemes – in the past year we have started to progress five housing schemes in different wards across the borough. However a careful balance has to be struck as the Council relies on income from investments to reduce the impact of the budget cuts on services.

Supplementary Question

I am aware that Bromley is one of the richest boroughs and to me it seems phenomenal that you are having to get rid of these public assets such as libraries which families really rely on. Why can't you use some of your reserves?

Portfolio Holder's Response

The point is, we do need to provide homes. We have to find all the sites that we possibly can including our own sites including library sites where feasible. The reason why Bromley is one of the richest boroughs is because we have been very prudent and put money aside and we've invested it. The income from that enables us to provide the services. If we did away with that we would not be able to provide the services.

Supplementary Question

I thought the point of the project was for the Public Halls to be utilised and not provide housing. Surely that is the main point of the report?

Portfolio Holder's Response

There are two stages to this project. The first is to find out whether we are able to move the library to the Public Halls consistent with everything else that goes on there. If it is, then we can talk about the redevelopment of the library site which would produce the money for the other scheme.

Chairman's Statement

One of the main elements of this project is to provide housing.

Supplementary Question

What about the bats?

Portfolio Holder's Response

We will study that when it comes to it.

Supplementary Question

Will it be part of the £17k feasibility study?

Portfolio Holder's Response

We have not yet discussed this but will in due course. You are quite right, it may be wise to do it now. If we can do it now we will.

14. From Stuart Froment

The feasibility study states that there would be partial remodelling of the park landscape adjacent to the existing library, but with no net loss of open space, and that loss of trees requires mitigation. Given that the proposed flats are to occupy parkland between the current library and Beckenham Road, how is the net area of parkland to be protected? The document does not show any private amenity space surrounding the proposed flats. Does the Council undertake not to allow any of the parkland to be used as private amenity space for the flats at any time in the future? How will the existing trees be protected, being in the Elm Road Conservation Area,

and, if any are removed, will they be replaced with the same number and size? Will memorial trees be preserved?

Portfolio Holder's Response

This will only be known once we undertake the viability work. However the massing study that was produced (provided as an appendix to the report) shows that zero loss of green space could be achieved.

Supplementary Question

I am concerned about whether any of the park land will be used for private amenity space as the drawings in the feasibility study indicate that the building would have any private land around it. Often, flats have some private amenity space around them. I am concerned that the park land might be eroded.

Portfolio Holder's Response

It is not our intention and I am happy to give an undertaking on that.

This page is left intentionally blank

Renewal, Recreation and Housing PDS Committee

20th December 2019

Public Questions to the Renewal, Recreation and Housing Portfolio Holder for written reply

1. From Susan Movahedi

Where will all the various organisations that currently use the public hall be able to hold their meetings etc?

Reply:

If this scheme goes ahead, they can be held in the new library at the Public Hall.

2. From Susan Movahedi

Where will local residents without access to the internet be able to go to use computers for research and day to day needs - especially those who are perhaps unemployed or even homeless?

Reply:

As above, in the new library.

3. From Jennifer Smith

Given that the new proposed town hall site needs £400,000 worth of work, where will the library be housed while this work is being undertaken? As it is my understanding that from the survey of work carried out which produced that figure there is no way a business of any kind could just move straight in without any work being done.

Reply:

The current library would stay open whilst the new library was constructed. There would be no gap in provision.

4. From Jennifer Smith

What will happen to the library staff during this transition? Many of whom are locals themselves and should be commended that while being out on strike are having to endure this additional stress.

Reply:

The staff will work in the library as normal.

5. From Louisa Cook

Please can you share your plans for the new location and share your impact assessment you have made on taking this building out of action for the current community groups and activities which regularly use it?

Reply:

All plans/documents are in the public domain and were provided as appendices to the report.

6. From Louisa Cook

What decision making route has the Council used to make this decision? And why has there been so little consultation?

Reply:

The decision route is as per this initial report. The Executive was asked to take the decision.

7. From Julia Vanoli MCIPD

Why was there a lack of public consultation on the decision to demolish our existing Library site and replace with flats in the lead up to the planning proposal for this site?

Reply:

Consultation will take place if the work determines that the scheme is viable. This is set out in the report.

8. From Julia Vanoli MCIPD

How many elected local councillors are in favour of this proposal and what have they done to find out what their constituents think, in light of a petition with 5,000 signatures being submitted since the planning proposals were made public.

Reply:

This is unknown, however the report was positively scrutinised by two PDS committees and the recommendations approved by the Executive.

9. From Konkona Kundu

Why is a different location not being considered for example the corner one storied building diagonally opposite to the Odeon near the war memorial instead of the library which is the part of our community?

Reply:

All land in the Council's ownership continues to be considered for housing.

10. From Konkona Kundu

What other ideas were considered before deciding on destroying the library?

Reply:

We wish to undertake a viability assessment. The aim is a better library for Beckenham and more much needed homes.

11. From Nigel Foley

What facilities will be lost in transferring the library to Beckenham Public Hall, both in terms of current library facilities and current uses of the Public Hall?

Reply:

It is envisaged that there will be no loss of facilities, however we need to undertake the viability work.

12. From Nigel Foley

Given that the area is within the Elm Road Conservation area, what constraints will be applied to any development e.g. in terms of height and appearance?

Reply:

Any development will take the conservation area into account as already addressed in the massing study provided as an appendix to the report.

13. From Lucy Williams

Can you confirm that the proposed development of the site does not conflict with the terms that the land was originally gifted over 100 years ago by Albermarle Cator?

Reply:

It does not.

14. From Lucy Williams

I have seen bats flying around the building in the summer and believe they are hibernating in the library building. Are the Council aware of bats at the building and have Natural England been consulted about this?

Reply:

We are at viability stage, any bat surveys would be conducted further along the process.

15. From Natalie Moss

I am a regular user of the children's sport classes at Beckenham public halls. The proposed library move to this site will significantly damage public spaces, particularly for sport. What will happen to all the classes, in particular the sports classes which need large spaces, currently taking place there?

Reply:

Modern libraries are as much about community activity as they are about issuing books. There is no reason why activities of this nature cannot continue. However this will specifically be looked at during the viability stage.

16. From Natalie Moss

Are there any plans to create new publicly available spaces/sports facilities for sports and other classes to replace those to be lost at Beckenham public halls if the library moves there, or will Beckenham now lose these facilities?

Reply:

No because there is no anticipated loss at this stage. As per response above.

17. From Nick Metcalf

What community groups currently use the space that would be redeveloped at Beckenham Public Halls?

Reply:

There are a range of groups who use the space, from a Church group to yoga class.

18. From Nick Metcalf

Have you considered replacing Beckenham Library with a new building with a library and community rooms on the ground floor and flats on the floors above?

Reply:

As per previous response.

19. From Catherine Hildebrand

The Beckenham library site and adjacent green space has over 20 mature trees of a variety of species. I understand the plans for the new site involve some green space. How many of the existing trees do you hope to retain through the period of construction?

Reply:

This will only be known once we undertake the viability work. However the massing study that was produced (provided as an appendix to the report) shows that zero loss of green space could be achieved.

20. From Catherine Hildebrand

The Library and Beckenham Spa car parks between them always have spaces available as they are used for short-stay parking. Given the car park nearest the Public Halls site is predominantly used by commuters, has there been any research into availability and waiting time for parking spaces at different days and times?

Reply:

No, because we are not at that stage yet. It would be considered as part of the viability work.

21. From Eve Bolton

Will the flats be an ugly modern design or after spending billions making Beckenham "more villagey" will you continue the theme and stick to traditional architecture that will complement the building opposite and the houses across the road?

Reply:

A traditional architectural style is envisaged at this stage.

22. From Colette Laws-Chapman

Can you please let us know why you would consider closing the Beckenham library, Beckenham Spa/Clock House when it is such a vital community hub in this area?

Reply:

At this stage we merely wish to undertake a viability assessment. The aim is a better library for Beckenham and more much needed homes.

23. From Colette Laws-Chapman

The area has been slowly regenerating - with thanks to Love my Hound, 500 degree pizza and Three Hounds Beer company joining the Spa combined with the library as the core/real attractions - the library is so accessible at the moment - families combine it with a trip to the spa as they can park and it's close by - moving it would be both ridiculous - and damaging to access by all the people at this end of Beckenham plus further increase traffic in an already congested area of Beckenham.

Reply:

The Equality Impact Assessment does not show that there would be a negative impact on people.

24. From Dr Elizabeth Arno

You suggest that Biggin Hill and Orpington libraries are being used more frequently now that they have moved to town-centre locations. Both these libraries, however, have been moved into buildings where there are other leisure facilities, notably swimming pools (the Walnuts in Orpington and the Biggin Hill Memorial Library and Pool), which is a very similar set-up to that of the current Beckenham Library and Spa complex (the 3rd most popular library in the borough as it is).

Please could you provide full statistics for the use of all your libraries? Isn't it more likely that these libraries have become more popular as parts of larger leisure offerings, which just happen to be in town-centre locations?

Reply:

The data can be provided, however in the meantime I suggest looking at the bi-annual libraries report that is scrutinised by the RRH PDS.

25. From Dr Elizabeth Arno

Why is Beckenham Library, a fine and elegant example of late art deco architecture, not considered worthy of conservation by the London Borough of Bromley, particularly as part of the Elm Road Conservation Area?

Reply:

We wish to undertake a viability assessment. The aim is a better library for Beckenham and more much needed homes.

26. From Philip King

Please can you provide the covenants detailing the land that the Library occupies, the details of the conservation area that was gifted to the public and why and when you changed this to remove these covenants?

Reply:

The library site, together with other land, was acquired by the Council from John Cator on the 15th February 1911 following the exercise by the Council of an option to purchase the said land contained in two leases previously granted to the Council by Albemarle Cator Esq and others.

The only covenant imposed on the Council in the conveyance dated 15th February 1911 was in respect of maintenance of a wall on one of the boundaries and fences along the southern and northern boundaries.

The Council had, in 1899, previously acquired land to the west of the site which was subject to various covenants and subsequently in 1923 acquired the land to the north of the previously acquired land, which was similarly subject to covenants. These covenants were varied by a deed dated 31st May 1932 and then released by a deed dated 16th July 1984.

It is likely that we will not have details as to the reasoning for the variation and release given the amount of time that has passed.

Thank you Mr Chairman

And the number of people in the public gallery this early on a Friday morning shows just how strongly the people of Beckenham feel about this scheme.

We have called in this proposal, because the recommendations as approved by the November Executive do not reflect the discussion at the meeting. We believe that this decision is flawed in a number of ways and ask this committee to refer it back to the Executive for reconsideration.

I will focus on two points:-

1. The complete lack of any evidence or analysis in the paper to support the decision in principle to demolish the library and replace it with housing.
2. The impact on the Elm Road Conservation Area.

The original paper does not contain the slightest justification for the decision in principle to demolish the library and indeed does not give any consideration to the implications. This morning, I would like to ask anyone in this Council Chamber, whether Member or Officer, to show me one sentence justifying it. And we must remember that this decision, with no justification whatsoever, might be seen as predetermining a future planning application.

The paper also contains no information on the results of any public consultation on moving the Library. Hardly surprising, given that there hasn't been any. And no real Member consultation either. The first time the Clock House Councillors were sent a partial draft of the paper, it was described as "a good news story" – hardly member consultation. This decision is therefore on very shaky ground legally.

Recommendation 2 commits the Council to the use of the current Library site for housing, irrespective of the outcome of the viability study referenced in Recommendation 1. The paper has tried to hide this. Its title is "Authority to proceed to Procurement". Nothing about the demolition of the Library.

As has been said several times, the Library is within the Elm Road Conservation Area. However, the paper contains nothing about the policy and legal implications of demolition and re development in a Conservation Area.

As members will recall, we approved our new Local Plan in this Council Chamber in January this year. Policy 41 covers development in Conservation Areas. It permits development, and even demolition, but it specifies tests to be passed before any building in a Conservation Area can be demolished. These tests are stringent, and defined in the National Planning Policy Framework, for buildings which make a positive contribution to the Conservation Area, and less stringent for buildings making a neutral or negative contribution.

The library is described in the Supplementary Planning Guidance for the Elm Road Conservation Area, although this description is silent on the contribution the Library makes. However, whatever the contribution, the paper should have provided the results of the tests which should have been carried out to justify the proposed demolition. That it did not, a serious omission from the paper, is one reason to refer back to the Executive.

However, there is another, much more significant reason to refer this back to the Executive. When we were considering the Call-in, I read the Supplementary Planning Guidance in full. And I found something really important in section 6, Policy Guidance.

This section covers details of how to manage changes. One of the sections, paragraph 6.13, covers demolition. I will read 6.13.2 out in full, and have copies of the relevant page for circulation:-

“ALL the principle buildings [and as the Library is individually described, it is clearly a principal building] are deemed to make a positive contribution to the character and appearance of the Conservation Area and therefore the Council will resist demolition of ANY building.”

The use of the words “all” and “any” make this completely unambiguous.

“ALL the principal buildings are deemed to make a positive contribution and the Council will resist demolition of ANY building”.

This project is based on the sale of the Library site for around £2 million for redevelopment. What sort of developer would offer £2 million for a site for which the Council’s existing policy is to resist demolition of any building? In fact, what sort of developer would even look twice at it?

Mr Chairman, this proposal goes against the previously agreed guidance for the Elm Road Conservation Area, and risks the predetermination of a future planning application. It should be referred back to the Executive for them to think again.

6.13 Demolition

- 6.13.1 Within the Conservation Area, total or substantial demolition of a building normally requires conservation area consent. Applications for work of this kind must be made to the Council using the appropriate form. As undertaking demolition work without consent is a criminal offence, it is advisable to seek the Council's advice before demolishing any structure in a Conservation Area.
- 6.13.2 All the principle buildings are deemed to make a positive contribution to the character and appearance of the Conservation Area and therefore the Council will resist demolition of any building.

6.14 Satellite Dishes

- 6.14.1 Satellite dishes are not normally deemed acceptable within conservation areas as they cause visual clutter. They will normally be resisted on prominent elevations and should ideally be placed out of sight at the rear of the property.

7 ENHANCEMENT ACTION BY THE COUNCIL

- 7.1 Many of the buildings in the Conservation Area are private dwelling houses. As such, there is little scope for direct Council action to enhance the area. Whilst the repair and improvement of the houses will generally be a matter for individual property owners, the Council does have powers to address untidy or neglected buildings or sites and will consider their use on a case-by-case basis.
- 7.2 The Council has a diverse variety of statutory and administrative responsibilities, which can impact in a variety of ways upon the character and appearance of the Conservation Area. Street works, traffic management and placement of street furniture will attempt to reconcile Conservation Area needs with wider functional objectives.

8 ADVISORY PANEL FOR CONSERVATION AREAS

- 8.1 The Council will ensure that development control in Conservation Areas is undertaken with the aim of preserving and enhancing the character and appearance of the area. It does this by undertaking appropriate consultations and referring applications to the Advisory Panel for Conservation Areas (APCA). The Panel consists of independent representatives of relevant professions (such as architecture and town planning) and interest groups (such as the Campaign to Protect Rural England and The London Borough of Bromley Residents' Federation).
- 8.2 Each Conservation Area is entitled to a local representative, usually nominated by the local residents' association. The Panel meet monthly to comment on proposals that affect conservation areas. The panel's comments are passed on to the Planning officer for consideration as part of the normal planning process.

This page is left intentionally blank

ORAL REPRESENTATIONS RECEIVED FROM COUNCILLOR VANESSA ALLEN

The premise of this proposed development is the need to provide housing. We do not disagree that housing is needed in the Borough. What we do disagree with is the destruction of this library building.

Bromley has a Local Plan, adopted last January, and it includes provision of 641 additional homes per annum for 10 years. There is a list of allocated sites, and policies to enable this development. The Local Plan contains the requirement for 35% affordable provision, which has never been met in Bromley to date. The projected 50% affordable for this site is desirable but unrealistic.

Bromley also has a draft Housing Strategy which is not yet adopted and which proposes further housing in addition to the Local Plan.

The draft London Plan has been mentioned in previous discussions. The current status is that the inspector has recommended reductions in the Mayor's housing targets, with Bromley's target falling from 1424 to 774. This will be confirmed next year.

If Bromley council engaged more with developers, landowners and social housing providers, we would be much better placed to address the housing needs of the borough. We hear much about the 1600 families on the housing register, but not so much about the extremely slow progress being made on several schemes to provide good quality temporary housing in the borough. When considering use of council owned sites, the committee would also do well to reconsider the limitations it has put on development sites such as the Civic Centre.

There are planning issues with the Library site. Carlton Court, a nearby site just outside the conservation area on the corner of Hayne Road and Beckenham Road, was the subject of a 2017 planning application for provision of 30 flats. This was refused by the council and lost at appeal, due to the effect of the proposals on the character and appearance of the area, and lack of provision of outdoor space, among other reasons. A subsequent application for a smaller development of 24 flats was approved earlier this year subject to legal agreement. The Carlton Court character and appearance issues related partly to the height, and the revised approved application reflects the height of the adjacent Victorian buildings. Needless to say there is no affordable provision.

The Library site proposals, quite apart from the Conservation Area issues (to be) covered by my colleague, would run into the same objections of mass and height, and a clear lack of any outdoor amenity space for residents, let alone the loss of public open space which is currently enjoyed.

Although we note the proposal includes appointing consultants to look at the Public Halls, the discussions have revolved around the use of the Library site which does not seem to be reflected in the brief. You cannot look at one without the other. The Executive agreed various suggestions about what the new housing might look like, which in view of my earlier comments should also be a vital part of any feasibility study.

In summary therefore Mr Chairman I contend that the proposed development of this site does not conform with Bromley's Local Plan, and contradicts planning guidelines.

This page is left intentionally blank