

## TO MEMBERS OF THE COUNCIL

**Notice is hereby given that the annual meeting of the Council of the London Borough of Bromley is to be held in the Council Chamber at Bromley Civic Centre on Wednesday 18 May 2022 at 6.30 pm which meeting the Members of the Council are hereby summoned to attend.**

**PLEASE NOTE:** This meeting will be held in the Council Chamber at the Civic Centre, Stockwell Close, Bromley, BR1 3UH. There will be limited space for members of the public to attend the meeting – if you wish to attend please contact us, before the day of the meeting if possible, using our web-form:

<https://www.bromley.gov.uk/CouncilMeetingNoticeOfAttendanceForm>

### Prayers

## A G E N D A

- 1 To elect the Mayor of the Borough  
The Mayor to make and deliver the statutory Declaration of Office
- 2 To record the appointment of the Deputy Mayor signified to the Council in writing
- 3 Apologies for absence
- 4 Declarations of Interest
- 5 To confirm the Minutes of the meeting of the Council held on 11th April 2022  
(Pages 3 - 40)
- 6 To record the election of Councillors for the respective wards of the Borough on 5th May 2022 as set out in the notice attached. (Pages 41 - 48)
- 7 To appoint a Leader of the Council for a four year term of office
- 8 To receive the appointments of the Deputy Leader of the Council and other Members of the Executive from the Leader of the Council
- 9 To receive an address from the Leader of the Council if they so elect
- 10 Minor Changes to the Constitution and Establishment of an Audit and Risk Management Committee (Pages 49 - 58)

11 To appoint Committees and their chairmen and Vice-Chairmen and agree proportionality

(Schedule to follow)

12 To receive the Scheme of Delegation of Executive Functions from the Leader of the Council and to approve the Scheme of Delegation of Non-executive Functions (Pages 59 - 62)

The Scheme document will be to follow.

13 The Mayor's announcements and communications.

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*Ao Adetosoye*

**Ade Adetosoye CBE  
Chief Executive**

**BROMLEY CIVIC CENTRE  
BROMLEY BR1 3UH  
Tuesday 10 May 2022  
Vol.59 No.1**

## LONDON BOROUGH OF BROMLEY

### MINUTES

of the proceedings of the Meeting of the  
Council of the Borough  
held at 7.00 pm on 11 April 2022

Present:

**The Worshipful the Mayor  
Councillor Russell Mellor**

**The Deputy Mayor  
Councillor Tony Owen**

#### Councillors

Gareth Allatt	Kira Gabbert	Angela Page
Vanessa Allen	Will Harmer	Chris Pierce
Graham Arthur	Christine Harris	Neil Reddin FCCA
Kathy Bance MBE	Samaris Huntington-	Will Rowlands
Yvonne Bear	Thresher	Michael Rutherford
Julian Benington	William Huntington-	Richard Scoates
Nicholas Bennett MA J.P.	Thresher	Colin Smith
Kim Botting FRSA	Simon Jeal	Diane Smith
Mike Botting	David Jefferys	Gary Stevens
Katy Boughey	Kevin Kennedy-Brooks	Melanie Stevens
Mark Brock	Josh King	Kieran Terry
David Cartwright QFSM	Kate Lymer	Ryan Thomson
Aisha Cuthbert	Christopher Marlow	Michael Tickner
Ian Dunn	Robert Mcilveen	Michael Turner
Nicky Dykes	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 Russell Mellor

#### **325 Apologies for absence**

Apologies for absence were received from Councillor Judi Ellis, Peter Fortune, Hannah Gray and Colin Hitchins.

**326        Declarations of Interest**

There were no declarations of interest.

**327        To confirm the Minutes of the meeting of the Council held on  
28 February 2022**

Councillor Ryan Thomson noted that he had not yet received the details about pollution monitoring devices he had requested at the last meeting (Appendix A, question 2).

**RESOLVED that the minutes of the meeting held on 28<sup>th</sup> February 2022 be confirmed.**

**328        Questions**

Ten 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.

Twenty two 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.

Thirteen 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.

Nine 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.

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

The following statements were made –

**(1) Child Q**

At the request of Councillors Angela Wilkins and Kathy Bance, the Portfolio Holder for Children, Education and Families, Cllr Kate Lymer, made a statement on the Child Q case. Councillor Lymer had been shocked to hear about the treatment of this child. The report published by the City and Hackney Safeguarding Children Board, chaired by Jim Gamble, contained significant learning for all agencies. Councillor Lymer confirmed that she had met with Jim Gamble as Chairman of Bromley's Safeguarding Children Board, the Leader, the Chief Executive, the Director of Children's Services and senior local Police to discuss the report and obtain details of local responses. Following the meeting, she was reassured that the Police and all other local agencies were taking the issue very seriously. The report had been shared

across all services and measures put in place to share the learning and actively engage with staff. The Safeguarding Children Board had already set up sessions for frontline staff and would be discussing the issue at the next partnership meeting. Jim Gamble had also offered to put on a session for Members. Councillor Lymer was also reassured that action was being taken by the local Police, in particular to ensure that officers knew how to work with school safeguarding leads, and also that the Metropolitan Police had begun a review and were engaging with the local community in Hackney.

In response to questions, Cllr Lymer confirmed that all academies would be contacted about this case, and that the Police were looking to rebuild trust in local communities. She confirmed that the Police had stated that no such searches had been conducted in schools in Bromley. She agreed to raise the issue of potential racism being a factor in this case.

## **(2) Leader's Review of 2021/22**

The Leader of the Council, Councillor Colin Smith made a statement reviewing progress against his objectives for the year. The highest priority had been the protection of vulnerable people and this was reflected in a national award for discharge from hospitals and the work on the loneliness agenda. There had also been national awards for the management of the Council's finances and the Pension Scheme (for which the Leader thanked Councillor Keith Onslow and the members of the Pensions Committee). The Council had continued to support the local economy and channel government grant to local businesses - Bromley had come through the pandemic well and interest in town centre was beginning to pick up. More homes and better homes had been an objective for the year and a number of schemes were now nearly complete – there were two national awards for housing schemes. The Council's expansion of street tree planting was now taking place, improving wellbeing and the environment. The Council had been determined to work towards being carbon neutral by 2029, but good progress had been made enabling the target to be changed to 2027. In summary, it had been a difficult year for residents, members and officers, but despite this Bromley had continued to make steady progress.

The Leader also marked the departure of a number of councillors at the forthcoming election – Councillors Peter Fortune, Graham Arthur, Peter Morgan, William Huntington-Thresher, Neil Reddin, Samaris Huntington-Thresher, Judi Ellis, Richard Scoates, Michael Turner, Chris Pierce, Robert Mcilveen, Gareth Allatt, Suraj Sharma, Julian Benington, Angela Wilkins, Vanessa Allen, Ian Dunn and the Mayor, Councillor Russell Mellor. The Leader thanked each one for their service to the borough, and led the chamber in a round of applause.

### **330 Budget Monitoring 2021/22** Report CSD 22048

The following amendment was moved by Councillor Simon Jeal and seconded by Councillor Ian Dunn -

Amend recommendation 2.(1) as follows:

(1) Agree a sum of £1.405m is set aside in a Contribution to Collection Fund Surplus Earmarked Reserve as detailed in paragraph 3.2.4. subject to recommendation 2.(4).

Add recommendation 2.(4) -

Amend the working-age council tax support scheme, for 2022/23 year only, to allow an increase in the maximum support provided by the Council from 75% to 100% for Band A to D properties, and instruct that the proportionate amounts owed by eligible residents be written off. The net cost of approximately £3.2m to be funded from the central contingency sum underspend.

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

A motion to (1) agree a sum of £4.605m is set aside in a Contribution to Collection Fund Surplus earmarked reserve, as detailed in paragraph 3.2.4 of the report, (2) agree a sum of £2.900m is set aside in a Capital Fund earmarked reserve funded from the 2021/22 Central Contingency as detailed in paragraph 3.2.5 of the report and (3) agree a sum of £1.242m is set aside in the Housing Investment Fund earmarked reserve, funded from the 2021/22 Central Contingency as detailed in paragraph 3.2.6 of the report, was moved by Councillor Michael Rutherford, seconded by Councillor Colin Smith and **CARRIED**.

**331 Basic Need Programme Update**  
Report CSD22047

A motion to agree the Basic Need Programme as set out in appendix 3 to the report was moved by Councillor Kate Lymer, seconded by Councillor Colin Smith and **CARRIED**.

**332 To consider Motions of which notice has been given.**

**(A) Ukraine**

The following motion was moved by Councillor Kira Gabbert and seconded by Councillor Christopher Marlow -

“This Council is saddened and appalled by the unprovoked Russian invasion of Ukraine, which has caused horrific devastation, the loss of many innocent lives and an escalating humanitarian crisis with millions of Ukrainians forced to leave their homes.

As a way of expressing support for the people of Ukraine, Bromley residents with ties to Ukraine and those residents who have volunteered their time, money and homes to help the victims of war, this Council:

- Wholeheartedly condemns the unprovoked Russian invasion of Ukraine and stands in solidarity with the people of Ukraine and their families and friends, including those local to Bromley.
- Recognises the need for wrap-around support for Ukrainian refugees in Bromley, mobilising our services such as children's services, education, public health and mental health services.
- Will work with and support the efforts of our residents and voluntary sector to provide help and support to Ukrainian refugees in Bromley."

The motion was **CARRIED**.

### **(B) Net Zero Emissions Target**

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

"While the Council welcomes the news that its current target of net zero carbon emissions may be met by 2027, we recognise further action is required to decarbonise as quickly as possible.

Given that the existing target equates to just 1% of emissions in the Borough, this Council now commits to a target of net zero emissions for all other Council activities (Scope 3) by 2030."

(The motion was altered by Councillor Jeal with the agreement of the meeting to replace 2035 with 2030 in the final line.)

It was proposed by Councillor Colin Smith, and seconded by Councillor William Huntington-Thresher, that the motion be referred for consideration to the Environment and Community Services PDS Committee - this was **CARRIED**.

### **333 The Mayor's announcements and communications.**

The Mayor thanked all members for their support during his year in office, and particularly thanked all those members who were standing down for their service to the borough.

The Mayor touched on some of the achievements of his year in office. He had striven to improve the perception and standing of Bromley, and raised the level of formal dress associated with the Mayoralty. He had also developed a manual to guide future Mayors. He hoped that a Mayor's cricket match would be held in August, and he was working to set up a Bridge Club. He concluded by informing members about his recent visit to Neuwied, and thanking Members again for their support.

The Meeting ended at 9.25 pm.

Mayor

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**Council**

**11<sup>th</sup> April 2022**

**Questions from Members of the Public for Oral Reply**

**1. From Freddie Price to the Portfolio Holder for Children, Education and Families**

What is the percentage change on funding for youth centres & services in Bromley since 2010 and how many new youth centres and programs have been opened and how many have been closed during this period?

**Reply:**

The reduction of youth services over the past 10 years has been seen across all Local Authorities across England. Nationally this reduction in provision has been 70%. The reduction in funding in Bromley over this period in question has been 42%. This is significantly less than the 70% national average.

During this period Bromley has closed 5 youth Hubs, with 4 Hubs remaining open and active.

Plus, we have a mobile unit which can be quickly deployed to any part of the Borough where we might identify an issue or emerging need.

**Supplementary Question:**

What plans are now in place for the next four years to expand youth work?

**Reply:**

If you can find me a magic money tree I will happily look into plans to expand services.

**2. From Alisa Igoe to the Leader of the Council**

*Reference: The Local Government Association - Impact of in-person council meetings survey: October – November 2021 - "Almost three quarters of respondents (73%) thought that attendance by members of the public is lower since returning to in-person council meetings."*

As a regular attendee in the public gallery, I've always been surprised at how few residents attend to watch Council committee meetings. Would you agree that providing live streamed meetings to enable residents, including carers and those unable to access the chamber, to watch from home, would be a logical and excellent improvement?

**Reply:**

As I advised Cllr Allen on the 19<sup>th</sup> April 2021 in answer to a very similar question, it is not in my gift to set rules for Council, PDS or other general Council Committees. That decision falls to the general membership.

The question is therefore best directed to the General Purposes & Licensing Committee for dutiful consideration.

I should imagine that the answer will boil down to evidenced public demand versus the cost of providing the additional service, but that would be to second guess the Committee's thoughts and eventual recommendation.

**Supplementary Question:**

At the last full Council there was quite a lot of noise on social media afterwards because a lot of people had to go into rooms within the campus of the Council. I would have thought that this would show there was public demand for streamed meetings – would you not agree?

**Reply:**

During the pandemic, when public viewing was available there was no evidence whatsoever that there was keen public demand from the viewing figures and it might be helpful for Ms Igoe if they were published and affixed to this evening's minutes as an appendix. (See Appendix 1.)

**Additional supplementary comment from Cllr Vanessa Allen:**

We did discuss this at General Purposes and Licensing Committee and there is going to be some guidance forthcoming. Hybrid meetings have been agreed for Councillors and we were all emailed about that on Friday.

**Additional Supplementary question from Cllr Simon Jeal**

As Cllr Allen mentions, we have had an email to say that future meetings will be streamed to allow Members and officers to participate remotely. Does the Council Leader agree that, given this streaming is already taking place the cost of extending this to the public would seem limited, to allow them to ask questions as well?

**Reply:**

I simply do not know – I have not seen the statistics or the figures. If you look at the figures the decision should follow that. That is for General Purposes and Licensing Committee.

**3. From Tony McPartlan to the Portfolio Holder for Public Protection and Enforcement**

I welcome the introduction of the Enviro-crime reward against fly tipping ([https://www.bromley.gov.uk/news/article/2847/enviro-crime\\_reward\\_against\\_fly\\_tipping](https://www.bromley.gov.uk/news/article/2847/enviro-crime_reward_against_fly_tipping)) but why should residents have any confidence that their information about fly-tips will lead to a prosecution when there was only one fly-tipping prosecution in the whole of 2021/22?

**Reply:**

Any investigation to determine who has fly-tipped waste materials, requires good evidence to enable fixed penalty notices to be issued and this is not always available.

If Bromley residents can provide information that may assist with investigations, this will be welcomed and they can be confident that it will be used to build a case for successful prosecutions wherever possible.

**Supplementary question:**

If the Council had a genuine aim to increase the number of fly-tipping prosecutions surely they would need to search through fly-tipped waste and possibly install cameras in hot-spots. Is there any commitment to do that?

**Reply:**

There has been an appointment of a new Environmental Investigation Manager in the last few months, it is anticipated that warnings and fixed penalty notices will increase in the future. There has been a report which went to the Public Protection & Enforcement PDS and the Environment and Community Services PDS that set out the strategy going forward.

**Additional Supplementary Question from Cllr Simon Fawthrop:**

Would the Portfolio Holder agree that if residents do not report these events it will be so much harder for the Council to convict people?

**Reply:**

Yes, I agree,

**Additional Supplementary Question from Cllr Angela Wilkins:**

How many enforcement officers do we have on the team, and would it more likely that we would have successful prosecutions if we increased the number?

**Reply:**

I do not know the exact amount as there has been the change around with the new Environmental Investigation Manager coming into the role. There has been some movement in the Team. I can check that and get back to you.

**4. From Jessica Arnold to the Portfolio Holder for Renewal, Recreation and Housing**

Empty shop units are a blight on high streets and local parades - as well as being unsightly and causing building problems if left long term, they are an opportunity wasted towards creating vibrant local areas with shopping and eateries of choice.

Does Bromley Council have any incentive schemes to avoid persistent empty shop units? If so, what are these and where can more information for businesses be found? And if not, is Bromley Council willing to scope and consider introducing such measures to help reduce empty units by retaining and attracting local businesses?

**Reply:**

Yes, because the Government very kindly shook the magic money tree earlier and gave us some money precisely to enable businesses to recover. So, recently businesses had the opportunity to apply for a grant of up to £50k each to support them with costs associated with opening and occupying vacant units. Within the scheme, we paid out just over a million pounds to 22 businesses including businesses that were looking to move into the borough from elsewhere. We will continue to work with these businesses.

**Supplementary Question:**

That sounds quite time limited – if central funding is taken away there would be nothing within Bromley Council to keep that going. Are there any plans to create our own scheme for Bromley?

**Reply:**

It would be very nice to do so, but it is back to money. If we had the money it would be nice to continue such a scheme, but we do not at the moment. There is a lot more interest in empty shops, particularly in Bromley. Even without the money things are improving which is encouraging. I would love to have the money to give them, but I would not like to encourage you to believe that we are going to get any.

**5. From Helen Brookfield to the Portfolio Holder for Environment and Community Services**

Does Bromley Council have an Officer responsible for ensuring that there are safe walking routes to schools, shops and local amenities that meet the needs of all pedestrians including those with sight/hearing loss, people with mobility issues/slower walking speeds, wheelchair users, carers with young children and children?

**Reply:** (Sent as a written reply)

The Council has a School Travel Plans and Road Safety team who liaise with schools across the Borough to develop plans to improve safety around schools and for the pupils in terms of training and road safety education. School Streets have been used to assist with walking outside a number of schools.

The Borough has also introduced new 10 new formal pedestrian crossings in the last couple of years, to improve walking opportunities for pedestrians near to stations, schools and parks.

- Homesdale Road - 1x Zebra
- Kent House Road - 1x Zebra
- Kings Hall Road - 1x Tiger Crossing (Parallel Zebra)
- Crystal Palace Park Road - 1x Toucan Crossing
- Crofton Road – 3x Zebra
- Crofton Lane – 1x Zebra
- Beckenham Lane – 1x Zebra
- Bromley Road – 1x Tiger Crossing (Parallel Zebra)
- (*Southend Road – Informal crossing*)

**6. From Jeremy Adams to the Portfolio Holder for Resources, Commissioning and Contract Management**

Will Bromley Council commit to remaining debt free for the 2022-2026 term? Or would borrowing become necessary?

**Reply:**

The Council has no plans to borrow during this period.

**7. From Freddie Price to the Portfolio Holder for Children, Education and Families**

What is the Council doing to provide preschool and school aged children with activities outside of the home and school curriculum to help progress childhood development and to tackle the current rise in anti-social behaviour in the Borough?

**Reply:**

There is not a current rise in anti-social behaviour in the Borough. If you look at MOPAC's crime dashboard online, you will see that ASB has been reducing in Bromley month on month for quite some time, including a reduction of 38% over the last 12 month rolling period.

It is also important to highlight that incidents of ASB are not exclusive to young people. ASB incidents relate to all ages.

However, the Council continues to provide a full programme of services to pre-school children and parents via independent Nursery provision as well our own Children and Family Centres.

Our Youth Centres have continued to provide a range of positive activities for young people. These activities focus on access to training and employment, promoting participation in sports activities, IT and a range of arts related events.

All of our libraries run a selection of free activities and workshops on a weekly basis, suitable for babies upwards - to sessions for teenagers.

We also run the Holiday Activities Programme funded by the government in the school holidays, and last summer we provided meals and activities for 10,382 individual places.

**Supplementary Question:**

With ASB, how come, if it is reducing, it still accounts for 22% of crimes in the borough?

**Reply:**

I am not a crime analyst, but I can go to the Police for their opinion on that matter and get back to you.

**8. From Alisa Igoe to the Portfolio Holder for Renewal, Recreation & Housing**

*Reference: Gov.uk Spring Statement 2022 - "To help the most vulnerable households with the cost of essentials such as food, clothing and utilities, the government is also providing an additional £500 million for the Household Support Fund from April, on top of the £500 million already provided since October 2021, bringing total funding to £1 billion."*

During their first £1.8million tranche, Bromley experienced high demand, adjusting its response time from 5 days to 3 weeks, then to 6 weeks. I believe extra staff were enlisted to

operate it midway through. Does the Council have the appropriate number of staff to work on this second tranche from April and what will be the guaranteed response time?

**Reply:**

I am pleased that we have been able to offer support to these households. I am not sure that demand was high in relation to the 140,000+ households that we have in the borough. Your question is a little hypothetical - the numbers of staff needed will only be known once the Council has received all the Government guidance. At that point, the Council will be in a place to make a decision and we will have the staff in place to do what we have to do.

**Supplementary Question:**

The first tranche of fund was due to run until 31<sup>st</sup> March and you closed it on 25<sup>th</sup> January, which is very early, because you had such a response. Do you not feel that this shows that you may need to consider how many staff you have before the new tranche starts?

**Reply:**

We are thinking about that already. Until we know the actual circumstances and the rules we cannot firm up on that, but we have people that are doing other things that we will transfer from their present duties to these duties. What we cannot do is have people twiddling their thumbs waiting for things to happen. Staff will be taken off other duties to attend to this.

**9. From Tony McPartlan to the Portfolio Holder for Resources, Commissioning and Contract Management**

Rising household bills are likely to hit millions of people hard, none more so than care leavers. In light of this, will the Council reconsider its decision not to exempt care leavers from paying council tax?

**Reply:**

Bromley Council provides additional support to those who need it. To that end, we have a hardship fund to which care leavers can apply. The fund remains at £200k for 2022/23. I have spoken to the relevant Director and have been advised that care leavers are made aware of this fund as part of the process of leaving care.

Care leavers' plans are reviewed in supervision monthly and a review of their pathway plan is performed yearly to see if there are any changes. Through our Care Leavers' Forum and Active Involvement Officers, we have confidence that care leavers' needs are at the forefront of our minds. I hope this helps and gives reassurance that as corporate parents our children are ensured, as established by Ofsted, very good life chances and we are ambitious about "going the extra mile" for them.

I would suggest to the Labour candidate for Plaistow Ward that the appropriate time for this question would have been at the budget setting meeting on February 28<sup>th</sup> when the Labour Group, of which he fully supports, failed in their Civic duty to move an alternative budget to the Administration's.

**Supplementary Question:**

This has been raised several times before, rather than just at the last budget meeting as I am sure the Portfolio Holder is well aware. Following the campaign from The Children's Society, 29 of London's 32 local authorities have some form of policy in place to exempt care leavers. Are we not ashamed that Bromley is not one of those 29?

**Reply:**

We are certainly pleased to provide support as and when it is needed.

**Additional Supplementary Question from Councillor Simon Jeal**

He mentioned the Care Leaver's Forum. Has he engaged with that Forum and has he discussed whether they believe that care leavers should be exempt from Council Tax?

**Reply:**

I have not discussed it with them personally, but my understanding is that items of that nature have been discussed.

**Additional Supplementary Questions from Councillor Simon Fawthrop**

Would the Portfolio Holder agree that the best way to protect young people in care and people who are suffering from the cost of living across the borough is to keep the council tax low with a 1% increase across the board compared with an 8.85 increase by Sadiq Khan?

**Reply:**

I would agree, and I would also point out that young people across the borough benefit from a substantially cheaper council tax than our neighbours in Croydon as well.

**10. From Helen Brookfield to the Portfolio Holder for Environment and Community Services**

Having recently read Bromley's Council's 3-year Local Implementation Plan for the period from 2019-2022, I was very disappointed to note that very few, if any, of the stated objectives and plans to improve conditions for pedestrians and cyclists and reduce car journeys have yet been met or carried out in the Beckenham area, where I live. What actions will the Council now be taking to ensure that they meet their own objectives and aims?

**Reply: (Sent as a written reply)**

A large number of improvements for pedestrians and cyclists have been implemented in the Beckenham area in recent years. Additional crossings were added when the town centre was improved, and more recently new zebra crossings in Bromley Road. Also, to help pedestrians, School Streets have been introduced outside two Beckenham schools. Cycle routes have been introduced around Beckenham, with a high-quality cycleway being completed to run from Kent House station to Lower Sydenham. Cycle routes from Beckenham towards Bromley and vice-versa have also been improved and work is ongoing to look to develop this route more over coming years. As I'm sure you're aware not all suggestions turn out to be viable solutions. Consultation is also underway to help the Council determine resident's views on suggested safety improvements at the Southend Road junction with Park Road.

**Virtual Meetings Statistics**  
**May 2020 – May 2021**

<b>Meeting</b>	<b>No. of Meetings*</b>	<b>Average Viewers per meeting</b>
Council	5 (1)	47
Executive	4 (1)	9
Adult Care & Health PDS	4 (1)	9
Children, Education & Families PDS	4 (0)	23
Environment & Community Services PDS	6 (1)	44
Executive, Resources & Contracts PDS	4(4)	9
Public Protection & Enforcement PDS	3 (0)	13
Renewal, Recreation & Housing PDS	7 (1)	31
Health & Wellbeing Board	4 (1)	8
Standards	2 (0)	7
General Purposes and Licensing	4 (5)	8
Development Control	5 (2)	92
Plans Sub-Committees	14 (12)	29
Other Sub-Committees	13 (9)	10
Other Meetings	8 (6)	9
<b>TOTAL</b>	<b>87 (44)</b>	<b>23</b>

\* *Figures in brackets are for meetings where we hold no statistics*

Notes

- *The figures represent total views per meeting via the internet livestream on YouTube – this can include Council members, officers and contractors as well as members of the public, and can include multiple “hits” from the same person joining the meeting more than once.*
- *The figures do not distinguish between someone who watches a whole meeting, and someone who logs in for a few seconds.*



Council

11<sup>th</sup> April 2022

**Questions from Members of the Public for Written Reply**

**1. From Helen Alsworth to the Portfolio Holder for Environment and Community Services**

There is a vacant land site adjacent to 39 Southend Road Beckenham where the hoarding seems about to collapse on to the pavement (by a bus stop) and there is also fly tipping. This urgently needs to be made safe and secure, does the Council have legal powers to do this? When can the work be done and who will pay?

**Reply:**

An Officer from the Street Enforcement Team has visited location and passed the matter to colleagues within Building Control who will contact responsible parties to fix the hoarding in question. However, it must be clarified that the council can only become directly involved for the removal once the hoarding has fallen down and is obstructing the pavements and roads.

In terms of the legal powers bestowed to local councils to deal with fly tipping, these are as follows:

- Town and Country Act 1990 s215, where a notice can be served, to require the landowner to tidy up the waste and detritus on open land.
- Prevention of Damage by Pests Act 1949, the council can take enforcement action against the landowner, if the fly-tipping provides harbourage to pests.
- Environmental Protection Act 1990, s79, allows the council to take action if there is a statutory nuisance such as: smoke, fumes or gases from any premises, noise or vibration, or premises kept in a poor state etc.

As a council we always recommend that you submit a service request, to report faults within our public realm via '**fix my street**' <https://fix.bromley.gov.uk/>. From here we will investigate the matter and then provide you with a swift response.

**2. From Helen Alsworth to the Portfolio Holder for Environment and Community Services**

A recent publication by Beckenham Conservatives refers to working towards a 20mph zone in Copers Cope Road. Is it now official Council policy to introduce 20mph zones, something many residents would support, and how can residents in Beckenham and Copers Cope ward apply for them?

**Reply:**

The Council's policy has not changed. It is the Council's Policy to work with schools to develop their school travel plans to encourage students and to make active travel to schools a viable travel choice. Where criteria are met, changes will be introduced, such as improvements to crossing points but also part-time advisory 20's outside schools. As there is the CPFC Academy on Copers Cope Road, for Beckenham Conservatives to engage with the school in pursuit of these ambitions is something that proactive Councillors will undertake. Residents and particularly parents are similarly more than welcomed to work with their local schools in this ambition, given the congestion and delays that occur around schools. In the Beckenham area for example some residents are helping to man the barriers on the trial school streets.

**3. From Julia Burton to the Portfolio Holder for Renewal, Recreation and Housing**

Will feedback on the Orpington SPD be published, if so where and when?

**Reply:**

As part of any future adoption of the Orpington Town Centre SPD, there is a requirement to publish a statement detailing the persons the local planning authority consulted when preparing the SPD; a summary of the main issues raised by those persons; and how those issues have been addressed in the SPD. There is currently no date for when this will be published.

**4. From Julia Burton to the Portfolio Holder for Renewal, Recreation and Housing**

When will the recent Call for Sites be discussed and the results published?

**Reply:**

Consideration of the call for sites responses is ongoing. The Council will use the responses to the call for sites to inform the approach taken to the Local Plan review; there will be various rounds of consultation on draft Local Plan documents in future that will be subject to consultation. Where necessary to help justify our proposed approach, the call for sites responses will be published as part of future consultations.

**5. From Elizabeth Thomas to the Chairman of the Development Control Committee**

Has the Council formally adopted the Urban Greening Formula for new developments?

**Reply:**

The Urban Greening Factor (UGF) was introduced through Policy G5 of the London Plan, which was adopted in March 2021. The policy sets out an interim UGF requirement that applies to major development proposals in Bromley. The policy also encourages boroughs to develop their own UGF policy and score. The Council is

currently reviewing the Local Plan and will explore the potential for a Bromley-specific UGF as part of this review.

## **6. From Elizabeth Thomas to the Portfolio Holder for Environment and Community Services**

According to the Centre For London the average cost of providing controlled parking bays in the Borough is £221 per bay and yet the current permit charges are in the range of £50 - £100. What is the Council's reasoning for not passing on the full cost to car owners?

### **Reply:**

Thank you for highlighting yet another example of the Council's efficiency when compared to other boroughs. Permit prices are reviewed, typically every 4 years. The Council has always ensured that all administration and enforcement costs are covered from the annual cost of the permit; however the Council also ensure that residents are not over charged for the service.

## **7. From Dermot McKibbin to the Portfolio Holder for Renewal, Recreation and Housing**

The local authority housing statistics for 2021/1 reveals 1,056 dwellings owned by other public sector landlords in Bromley. Who are these landlords? Which wards are these properties in? What contribution do such landlords make to helping the homeless?

### **Reply:**

The Council does not own the 1,056 public sector dwellings referred to and does not hold this information.

## **8. From Dermot McKibbin to the Portfolio Holder for Resources, Commissioning and Contract Management**

How much money is owed to the Council by the owners of empty properties that have been empty for over 2 years. Has the Council ever placed a charge for such debts on the owner of an empty property or applied for an order for sale and if not please explain further?

### **Reply:**

There is £1.26m owed to the Council by the owners of 352 empty properties that have been empty for over 2 years.

The Council takes legal action in respect of all Council Tax debt where appropriate. We also consider on a case-by-case basis the appropriateness of obtaining a charging order and order for sale taking into account matters such as the value of the debt and amount of equity in the property. Empty properties where there is a debt due are included in this overall review.

## **9. From Sam Small to the Portfolio Holder for Environment and Community Services**

In an answer to a previous question about borough-wide emissions the Council stated that it intends to work with the different layers of Government to play their part “in achieving the National ambition set out by the PM.” Please can the Council clarify how it interprets the “National ambition”

### **Reply:**

The Climate Change Act commits the UK government by law to reducing greenhouse gas emissions by at least 100% of 1990 levels (net zero) by 2050. Certain aspects such as decarbonising the power supply network require a national endeavour, with the Government only last week bringing forward updated proposals to accelerate delivery of that. Others which are more locally based are already being mandated as part of our local plan, developers are already making carbon offset payments where they cannot deliver sufficient carbon gains in new developments. Bio-diversity gain is a recent new addition to the planning system. The Council as part of its community leadership has set its ambition to be net-zero by 2027. The Council will highlight to residents and businesses how it has and will achieve this ambition to provide examples for them to consider. The Council will always stay vigilant for further opportunities to reduce its borough wide emissions and where residents have the opportunity to apply for grants etc. the Council will highlight this. These are just a few examples.

## **10. From Maeve Lynch to the Portfolio Holder for Environment and Community Services**

Why are there no pedestrian crossings at terribly busy junctions e.g. Chinese roundabout, Westmorland Road/Hayes Lane. We all need to walk more but basic safety infrastructure is absent. In fear crossing with my children.

### **Reply:**

I acknowledge that both the locations you mention are not the easiest to cross, as both lack any controlled crossings for pedestrians.

At Westmoreland Road / Hayes Lane the possibility of adding a green-man stage has been investigated previously, but the resultant impact on traffic queues was found to be unacceptable. Although this might seem as if the motorist is being favoured over those on foot, it is known that where longer queues form on main roads, drivers will divert along side roads, often travelling at speed past nearby local schools and along narrow residential streets. This can then create more of a road safety problem than was solved by adding a green-man stage at the junction on the main road.

Chinese roundabout is also a difficult place to cross, especially on some of the arms of the junction. Bromley officers are currently designing a scheme to make

improvements at this busy roundabout, to help pedestrians, cyclists and motorists alike. Funding for this improvement has been applied for via TfL.

## **11. From Brayley Small to the Portfolio Holder for Environment and Community Services**

The Tyndall Centre for Climate Change Research calculates that for Bromley to make its 'fair' contribution towards the Paris Agreement, it must stay within a maximum cumulative CO2 emissions budget of 6.6 million tonnes (MtCO2) for the period 2020 to 2100. At 2017 CO2 emission levels Bromley would use this entire budget by 2027. Please comment.

### **Reply:**

I know that many residents are already making changes to reduce their carbon footprint. The Climate Change Act commits the UK government by law to reducing greenhouse gas emissions by at least 100% of 1990 levels (net zero) by 2050. Certain aspects such as decarbonising the power supply network require a national endeavour, with the Government only last week bringing forward updated proposals to accelerate delivery of that. Others which are more locally based are already being mandated as part of our local plan, developers are already making carbon offset payments where they cannot deliver sufficient carbon gains in new developments. The Council as part of its community leadership has set its ambition to be net-zero by 2027. The Council will highlight to residents and businesses how it has and will achieve this ambition to provide examples for them to consider. The Council will always stay vigilant for further opportunities to reduce its borough wide emissions and where residents have the opportunity to apply for grants etc. the Council will highlight this.

## **12. From Brayley Small to the Portfolio Holder for Environment and Community Services**

An answer to a previous question stated that the CMT "are represented at several London Councils Climate Change Steering/Working Groups to help develop a London-wide plan for achieving net zero emissions by 2030". Does this mean that the Council's target for net zero emissions borough-wide is also 2030?

### **Reply:**

The London Mayor has set a target for London to be net-zero by 2030. The Council has been successfully reducing its emissions for over a decade, with its first Carbon Management Plan being published in 2008. A Carbon Management progress report setting out what has already been done (or is currently in progress) was presented at the ECS PDS committee meeting in January 2022 and can be accessed via the Council's website. I know many residents have already been reducing their carbon footprint. As I have said previously the Council intends to work with the different layers of Government to play their part in achieving the National ambition for net-zero set out by the PM. Only last week Government updated its plans for decarbonising the power supply network. I look forward to similar practical

announcements from the London Mayor to deliver net-zero without raising Council Tax.

### **13. From Brendan Donegan to the Portfolio Holder for Environment and Community Services**

Given that we are living through a climate emergency, the UK has lost almost half of its biodiversity, and glyphosate is probably carcinogenic, when will Bromley Council phase out use of glyphosate-based herbicides on its land and for street 'cleansing'?

#### **Reply:**

Each application for weed control within the street environment will cover over 1425 kilometres of footway, 880 kilometres of carriageway and 88 kilometres of footpaths throughout the borough. The costs as well as productivity implications of alternative treatment application methods would be prohibitive on the whole when considering the operation required to cover a borough of our size. Existing guidance from governing bodies notes that continued use of glyphosate is permitted. In Europe, the EU licence for glyphosate is valid until December 2022. After Brexit, EU law which regulates the use of pesticides in the UK will continue to apply. The HSE states: 'Neither the EU's assessment of glyphosate as an active substance nor the UK's assessments of applications for authorisation of products which contain it have found the substance unacceptable for use.' (<https://www.hse.gov.uk/pesticides/using-pesticides/general/glyphosate-faqs.htm>). The products that are used by Local Authorities are strictly controlled and reviewed by DEFRA (Department of Environment, Food and Rural Affairs). Full COSHH (Control of Substances Hazardous to Health) assessments are undertaken prior to any use and the current process was last reviewed and approved in January 2021.

In specific relation to Biodiversity: Glyphosate based products are still the most effective and efficient means of controlling specific types of injurious or undesirable plant species for example the treatment of non-native and invasive species. The means of application is also efficient, so they are currently used for protecting and preserving the UK's native biodiversity species. Alternative herbicide free technologies have been adopted where they can be used effectively, most notably our investment in Foam Stream technology since 2019, which is regularly used within the Borough. This technology still has limitations, particularly accessing areas where vehicle access is challenging. The specific brands of glyphosate-based products currently utilised are chosen based upon herbicides well known for their effectiveness in these specific situations in accordance with the manufacturer's recommendations.

### **14. From Brendan Donegan to the Portfolio Holder for Environment and Community Services**

In the Net Zero Action Plan (p11), Bromley Council states it will not take responsibility for emissions it cannot directly influence. How can Bromley Council

justify this position, given the council's significant potential to play a key role in decarbonising transport, waste and social housing in the borough?

**Reply:**

The Council's Net Zero Action Plan relates to organisational emissions only, those that the Council directly influences/controls.

However, the Council acknowledges that it can indirectly influence the borough's waste, transport and social housing emissions through various policies and contractual arrangements with our service providers. These emissions result from the lifestyle choices of the public, such as what products they choose to purchase, their choice of transportation and their energy management practises at home. Therefore, climate action requires willing participation from all members of society and we encourage the public to choose low carbon alternatives.

The Council is already moving forward its work to tackle borough-wide emissions (as and when appropriate funding is made available) - for example, facilitating the transition to electric vehicles (EV). In March 2022 the ECS Portfolio Holder approved an EV Charging Infrastructure pilot to proceed that will help inform a suitable programme for the roll out of a charging network across the whole borough.

The Carbon Management Team will also be presenting a report at the ECS PDS meeting in June 2022, specifically about signposting residents, businesses and community groups to various grants, services and other initiatives aimed at energy savings and reducing CO2 emissions.

**15. From Tia Fisher to the Portfolio Holder for Environment and Community Services**

What steps have the Council taken to promote car sharing as a way of reducing the number of cars on the roads, reducing carbon emissions and pollution?

**Reply:**

For many years the Council has promoted car clubs and has tasked developers with installing car club bays outside the new built properties. Car sharing for Council staff is also promoted through Liftshare, although this promotion has declined during the Covid pandemic.

**16. From Tia Fisher to the Portfolio Holder for Environment and Community Services**

What steps have the Council taken to encourage residents to use car clubs and how successful has that been as a way of reducing the number of cars on the road?

**Reply:**

All new development applications that are located in PTAL (rate) of 4 and above are asked to join the local car club. This is supported in the adopted Local Plan. A

typical planning condition is that “The developer must offer the first resident(s) 2 years annual membership of City Car Club (or operator of the closest car club to the development). In the first year of the car club membership, the developer will also provide the first resident(s) a minimum of 20 hours driving time per unit for the type of vehicle located closest to the development”. LB Bromley had around 6000 applications last year. Car Club usage was increasing prior to the pandemic.

### **17. From Richard Gibbons to the Leader of the Council**

Does the Leader agree with the Member for Cray Valley East that Councillors must be visible and approachable, and:

1. Attend residents' and community group meetings
2. Hold regular face-to-face advice surgeries
3. Offer to meet residents at a time and place of their choosing

Ref. [https://twitter.com/Pierce\\_Chris\\_D/status/1508202680283447306?s=20&t=pdZIPsnsDpTMU3PewW7udA](https://twitter.com/Pierce_Chris_D/status/1508202680283447306?s=20&t=pdZIPsnsDpTMU3PewW7udA)

#### **Reply:**

With regards to Ward Councillors, yes, I do.

With regards to your numbered points:

1. Whenever invited and available to do so, of course.
2. This will vary ward by ward as the vast majority of residents prefer to conduct their meetings by telephone, email or pre-arranged one to one or group appointment and Councillors should be available to adapt when required to.
3. Within reason. I wouldn't agree or advise that any Member should put themselves in a position which potentially compromised either their personal safety or reputation.

### **18. From Richard Gibbons to the Portfolio Holder for Environment and Community Services**

Would the Portfolio Holder ask officers to reassess parking policies in LB Bromley using the CPRE London 'Parking Policy Benchmark Assessment Tool 2022', and set a date for a subsequent report to be presented to the Environment and Community Services Policy Development and Scrutiny Committee?

Ref. <https://www.cprelondon.org.uk/wp-content/uploads/sites/10/2022/01/Parking-Policy-Benchmark-Assessment-Tool-2022.pdf>

#### **Reply:**

The Council typically reviews parking policies and parking charges every 4 years with the review being scrutinised by the ECS PDS. The Council has very experienced officers in the parking service and members on the ECS PDS. From a quick perusal of the reference you provide, I am of the view that Bromley's officers



and members continue to be best placed to design Bromley's parking policies and all relevant parts have already been considered.

### **19. From Susan Sulis to the Portfolio Holder for Resources, Commissioning and Contract Management**

In Westminster Council, where the median property price is £1,054,400, and the median household income is £42,800, Band D Council Tax is £827.56, less than half Bromley's Band D of £1,691.52.

Band H in Westminster is £1,655.12, also less than Bromley's Band D!

How does the Government justify its 400% greater grant?

#### **Reply:**

There are a number of disparities and anomalies in current government funding mechanisms for local authorities. Bromley receives an unfair level of funding and has consistently lobbied for these to be addressed in the longer-term Spending Review, Fair Funding Review and reform of the Business Rates System. This would include recognition of demographic changes affecting Bromley, financial incentives to reward efficient low-cost Councils such as Bromley, recognition in funding mechanism of higher London costs incurred by the Council affecting service costs and removing restrictions that prevent local authorities from raising or spending their own resources for the best use of residents. To illustrate the unfair low level of funding, using 2022/23 funding information, if Bromley's received the average grant funding for London, its annual income would increase by £63m.

Bromley has the second lowest settlement funding per head of population in 2022/23 for the whole of London, giving us £115 per head of population compared with the average in London of £303 – the highest is £522.

### **20. From Susan Sulis to the Portfolio Holder for Resources, Commissioning and Contract Management**

Westminster's Council Tax levy represents 7% of its total funding, compared to Bromley's 31.2%. Billionaires and the 'super-rich' (including oligarchs) pay less than Bromley's Band D residents. Band H, the highest band, in Bromley is £3,383.04.

Will the Council publish the representations it makes every year, and the Government's response?

#### **Reply:**

Details of the Council's 'Comprehensive Spending Review Representation' were reported to the January 2022 meeting of the Executive. The Council's response to the Provisional Local Government Finance Settlement 2022/23 was reported to the February 2022 meeting of the Executive. The Council will continue to engage local MPs and Government ministers to secure a better funding deal for the Council and its residents. No direct response has been received on the Council's representation, although the Government has acknowledged receipt of the representations provided.

## **21. From Louise Clark to the Portfolio Holder for Environment and Community Services**

The GLA climate risk map shows a number of areas in the borough that are potential heat islands (St Mary Cray area - high risk, parts of Penge - medium high risk), which are a threat to health particularly for the most vulnerable members of the population. What steps have the council taken (or are planning to take) to reduce that risk

### **Reply:**

The Council has set up a Green Recovery Working Group to drive climate action across the borough, with adaptation measures also being considered. The Council intends to undertake a spatial analysis of the climate risks across the borough and pre-emptively take further action where possible. Such action includes the street tree programme, which will be planting 5,000 additional trees over four years and providing a cooler environment through natural canopy cover. Applications that offer green infrastructure are considered an added benefit for planning proposals when regenerating an area.

## **22. From Louise Clark to the Portfolio Holder for Environment and Community Services**

A standard 4 stroke leaf blower can emit 6.8 times more nitric oxide and nitrogen dioxide and 13.5 times more CO<sub>2</sub> than a Ford v8 pickup truck. Do the council's grounds maintenance contractors use petrol powered leaf blowers and if so would the council consider requiring them to use battery powered versions?

<https://www.challenge2025.eu/our-manifesto/emissions-impact/>

### **Reply:**

(Reply to follow)

## Council

11<sup>th</sup> April 2022

## Questions from Members of the Council for Oral Reply

**1. From Cllr Angela Wilkins to the Leader of the Council**

Will he agree with me that one of the best decisions this council has made is to reopen a housing revenue account and start building council owned homes for Bromley residents?

**Reply:**

Not particularly, but it was clearly the right thing to do, given the changed financial backdrop, funding stream availability and the over-riding necessity to source more national award-winning Bromley Homes for Bromley People in line with the Council's Making Bromley even Better priorities.

**Supplementary Question:**

Does he realise the extent of deprivation and appalling living conditions that so many people in this borough have to put up with, and would it not have been helpful to those people and the Council's budget to have started this programme, and the HRA, considerably earlier?

**Reply:**

I believe the programme is of its time and we are doing the right thing by Bromley people as demonstrated by our record.

**2. From Cllr Simon Jeal to the Portfolio Holder for Resources, Commissioning and Contract Management**

How many Bromley residents are currently in arrears for council tax, or other fees owed to the Council, and how much does this amount to in terms of £ value?

**Reply:**

The figures have been circulated -

	<b>Number of residents</b>	<b>Value</b>
		<b>£</b>
Council Tax	18,603	22,587,495
HB Overpayments	1,728	1,589,479
Sundry Debts	1,948	11,594,145
Temporary Accommodation <sup>1</sup>	3,823	8,757,138
Non-Residential Care	1,166	2,557,137
<b>Totals</b>	<b>27,268</b>	<b>47,085,394</b>

**Note:**

1. *The number provided is in respect of the number of households.*
2. *A resident could be included in more than one category above.*

**Supplementary Question:**

As we can see, there are 18,000 residents currently in arrears due to council tax. What work is the Council undertaking to identify which of those are struggling families on universal credit who will be very much struggling with the current costs of living and what debt write-off the Council may be able to offer to ensure that these families are not facing bailiffs or evictions?

**Reply:**

The reason why this number is so high at the moment is in large part due to the covid crisis. Throughout the whole of 2020 we were unable to put any kind of summons forward as part of the breathing space scheme. Since then, there has been a backlog that is now going to be cleared over the next 4-5 months. We are confident that the usual processes are being followed; with all debt, we will be following it up. For any residents who are struggling they can refer to the Hardship Scheme.

**3. From Cllr Ian Dunn to the Portfolio Holder for Adult Care & Health**

An item published on the website of Bhatt Murphy solicitors on 19 February 2021 states that "A judge at Central London County Court has ruled that the London Borough of Bromley adult social care team were negligent and breached their obligations to protect life under the Human Rights Act in failing to take steps to protect a vulnerable adult after he had become mentally unwell. He later died of smoke inhalation at his home in March 2016."

What lessons have been learned from this tragic case?

**Reply:**

As this is currently being dealt with as a civil matter I have been advised by the Council's Director of Corporate Services and Governance that I should not comment on any aspect of this case at the present time.

**Supplementary Question:**

There is a safeguarding adults review in the public domain, and that document, with 96 pages and eighteen recommendations, includes a leaning point 16 which is entitled "Candour Between Professions" and that includes a paragraph about Bromley. Somewhere in that report there is a sentence "The risk is this seems somewhat laced with self-certification." How has the Portfolio Holder assured herself that behaviour does not exist anymore in Adult social care?

**Reply:**

I am quite clear that I am not able to comment on this case due to the legal proceedings that are going on at the moment.

**4. From Cllr Josh King to the Leader of the Council**

In a recent open letter to the government, the British Chambers of Commerce (BCC), Make UK, the Institute of Directors and the Confederation of British Industry have asked that the term Chairman for company boards be replaced, arguing the term is archaic and needs updating.

Does the Leader agree that the Council should update its constitution and replace the term Chairman with Chair?

**Reply:**

Personally, no I don't, and I also happen to think that there are far more important things in the world to worry about right now.

However, all such decisions are a matter for the General Purposes & Licencing Committee to decide upon which is something that Cllr King might wish to consider pursuing with them, if he is successful on 5<sup>th</sup> May.

**Supplementary Question:**

Do you not believe that by not updating the Council risks being seen as out of touch with modern practice and not relevant? In reference to what is going to happen on 5<sup>th</sup> May, if the Council is not seen as relevant that might drive low turn out which we all do not approve of at local elections.

**Reply:**

No, I do not agree with that at all.

**5. From Cllr Kathy Bance MBE to the Portfolio Holder for Environment and Community Services**

Bromley Council is ploughing £1 million into parks as it plans to create more green spaces. Will this money just fill the void in park funding as there has been no Equipment replacement budget for years and will Bromley Council protect all our current green spaces and metropolitan open land?

**Reply:**

The impact of the pandemic over the last two years has underlined the importance of local green and natural spaces to Bromley's residents and visitors, with the Council recognising that as a custodian of the London's 'greenest' borough there is a need for good outdoor places where people have reconnected with nature, and to sustain the benefits for their health and wellbeing for the future. Contrary to your assertion the Council does and has invested in our parks and green spaces even before the welcome announcement of the additional funding which will contribute towards the refurbishment and renewal of green spaces and improve their quality. For example,

we have worked with the Friends Group in Kings Meadow to dramatically improve the play facilities there using section 106 payments and grant funding to support the Council's own budget and activities. In line with the Council's ethos on value for money, working with Friends' Groups, the focus has been on the most valued locations and as well as looking to address residents' new aspirations for their green spaces.

**Supplementary Question:**

Given that, at the last Council meeting, Cllr Rutherford stated that he was already in discussion with some of his Conservative peers about schemes in their local parks, how will the Portfolio Holder ensure that this money is evenly distributed, and whilst creating more green spaces, will he safeguard our current school playing fields?

**Reply:**

There is clearly going to be a prioritisation and some areas will be higher priorities than others. I do note that you have already emailed me to make me aware of your own suggestions – I think you were going to follow them up with some added detail. In terms of the playing fields, as they are now all academies that is not within the remit of the Environment and Community Services budget.

**Additional Supplementary Question from Cllr Ryan Thomson:**

The transfer of responsibility from Bromley Council to the Crystal Palace Park Trust does not take place until April of next year. With this in mind, can I have assurances that Crystal Palace Park will receive equal access and opportunity to benefit from this fund in the meantime?

**Reply:**

All applications for the fund will be considered and they will be prioritised accordingly.

**Additional Supplementary Question from Cllr Aisha Cuthbert:**

Would the Portfolio Holder agree that we are very fair and in fact there were three playgrounds that were scheduled to have funding from the Council and two of these were in Penge?

**Reply**

Yes, we are updating playgrounds, and that is entirely correct.

**6. From Cllr Kevin Kennedy-Brooks to the Portfolio Holder for Renewal, Recreation & Housing.**

Now that the BIDs are responsible for the financial running of our High Streets what responsibility do the Council have to in relation to planning to prevent overdevelopment and reduction in shop units?

**Reply:**

There are several policies in the Local Plan and London Plan concerning protection of retail areas, for example, policies 92, 94 and 95 of the Local Plan which seek to

maintain retail uses and protect the vitality and viability of town centres across the borough. The Council has also made a number of Article 4 Directions in town centres to withdraw what we regard as harmful permitted development rights which allow retail uses to convert to residential use without permission.

The design of new development across the borough is assessed against a suite of policies and guidance to ensure that it is appropriate for its context and to avoid overdevelopment.

**Supplementary Question:**

He knows of my concerns regarding the Blenheim Centre in Penge. While there is no final planning application here, the idea of a major development is very worrying in terms of whether the shops there can trade while everything is going on. This in turn also affects the Business Improvement District carrying on. Will he please tell me how he or his office will protect the integrity of our high street and, as he says in the lovely new brochure that we have today, continue to play a proactive role to support businesses and the local economy?

**Reply:**

We are as conscious of Penge as we are of anywhere else. The possible redevelopment of the Blenheim Centre is something that will have to be considered on its merits, but within the context of protecting Penge as a vibrant retail centre. I think and hope that Penge is doing better than it might have done in years gone by, so I am hoping that it will continue to improve and anything that happens at the Blenheim Centre will contribute to that and not detract from it.

**Additional supplementary question from Cllr Ryan Thomson:**

Will it be possible to have a meeting, or some guidance, on setting up a BID for Anerley in my ward?

**Reply:**

Absolutely so – there is no reason why we cannot consider that. We have team of officers within the department who look after and sponsor new BIDs, so I am very happy to see whether we could do one for Anerley. These things are not easy in smaller centres, because the costs of running them, just the cost of paying the manager alone, is often not covered by the total of the rateable values in that area. It might be possible to combine with Penge or somewhere else so that it can be included.

**7. From Cllr Nicholas Bennett MA JP to the Portfolio Holder for Renewal, Recreation and Housing**

If he will make a statement about the lack of changing facilities, lavatories and showers for swimmers at the Spa Leisure Centre as a result of work to replace the floor in the changing rooms and why this has now taken more than three months?

**Reply:**

We asked Mytime Active, which is responsible for the leisure centre and commissioned the works, for a response. They have said that unfortunately the approach to the original works was to repair sections at a time thereby allowing the facilities to remain open, but it did not work mainly due to water ingress from swimmers as the floor is required to be fully dry. Ultimately this has meant that works have taken longer than planned. During this period alternative changing rooms have been made available. The full works were due to be complete yesterday.

**Supplementary Question:**

I do not know if Cllr Morgan and Mrs Morgan change their clothes on the beach when they go on holiday, but can he imagine what it is like for an elderly lady or gentleman to put a towel round themselves, stand in the public gallery and try to put their clothes on with no handrails to hold on to. If they wish to go to the lavatory it is a fifty step walk each way through the reception area to the gyms. Is this satisfactory, and if it is not can we make sure that the cowboys that have been doing this since Christmas are not employed by the Council?

**Reply:**

I agree with Cllr Bennett that it is less than satisfactory to say the least. The changing facilities, according to my information, were supposed to be the changing rooms used by gym users, but I don't know whether that worked out or not. Therefore, they should not have had to change as if they were standing on the beach. The contractors have not been wholly satisfactory, and I hope that Mytime will never use them again and we will give strong advice to that effect.

**8. From Cllr Angela Wilkins to the Leader of the Council**

On a recent radio interview & in response to a resident's complaint about the condition of the toilets in Crystal Palace Park, you refused to visit them because you said you had officers to do that sort of thing for you.

Several months later, these toilets remain in an appalling condition. Will you now accept my personal invitation to visit so that you can decide whether you think your answer - and this Council's provision of public conveniences in its premier heritage park - is acceptable to local residents?

**Reply:**

I do not need to visit the toilets to understand that they are past their best and will need significant investment or replacement at some point in the not-too-distant future.

Mindful of the alternative toilets at the park's Café, the Council's position remains that it will maintain, cleanse and equip the block with toiletries in line with the existing contract for the next year, before then handing the Park over to the Crystal Palace



Park Trust who will determine its future in line with both their other existing priorities and the Park's £40m Regeneration scheme.

**Supplementary Question:**

Would he please undertake to clarify the situation, because it is not the first time that I have heard him say that the toilets in the café are open to the public – they are not. That was the original intention of this Council, but that did not happen, you have to be a café user to access those toilets, so they are not an alternative.

**Reply:**

I am happy to be advised by Cllr Wilkins as to events in her ward. That is the sort of thing that should be reported to officers in a timely fashion, because if they are not available to users officers may wish to pursue it on her behalf. I see the relevant officer in the audience this evening who will be able to pick that up.

**Supplementary Comment from Cllr Ryan Thomson:**

This has been raised with officers to no avail.

**9. From Cllr Simon Jeal to the Portfolio Holder for Children, Education & Families**

Could you please confirm how many pupils and teachers were absent from Bromley schools in the past week due to suspected or confirmed coronavirus cases, and how this figure has changed compared to a month ago?

**Reply:**

With the ending of restrictions, many of our schools are no longer regularly sending in a return to the DfE. 51 of our schools are still sending in a return voluntarily.

Of those 51 schools, on 31<sup>st</sup> March (I received your question on the 29<sup>th</sup> March) there were 283 pupils absent with Covid during that week. A month earlier on the 28<sup>th</sup> February there were 127.

On 31<sup>st</sup> March, Teacher absences were no longer being broken down into categories, but a month earlier on the 28<sup>th</sup> February there were 28 teachers absent with Covid.

**Supplementary Question:**

As she will be aware from those figures, even those that are voluntarily reporting, the number of absences due to covid does appear to be increasing substantially. Given the upcoming GCSE and A level exams that will be taking place and are so important to many students, what advice has the Council's Public Health Team and what work is being done to engage with schools to ensure that students will be able to take exams with minimal disruption?

**Reply:**

Even though numbers have increased at the moment, the number of pupils, with the figures I gave you it is 0.5% of the total cohort, and the number of teachers is 1% of the total cohort of those 51 schools, but Public Health is constantly working with schools to ensure that they are doing the best practice that they can. If there are any difficulties with exams I am confident that they will be able to deal with them.

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

How many planning applications remain on the backlog which have required that the target date for determination has one or more extensions?

**Reply:**

97 undetermined applications have agreed extensions of time.

**Supplementary Question:**

How is the balance made between dealing with the large developments and with smaller planning applications?

**Reply:**

The Planning Department divides itself into a large applications team and then the rest. The large applications are probably the ones that most often run over, because they are so much more complicated, and that is how it is done.

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

Is the LBB funding or part funding any Job Clubs for the rest of this year and if so, can you advise which wards they are located in.

**Reply:**

The borough provides the staffing support at community work clubs, which are based at two centres (Mottingham and Cotmandene). These are located in Mottingham ward and Cray Valley West ward respectively. The work clubs are on-going and will continue to be delivered throughout the year and for the foreseeable future.

Bromley Adult Education College continues to host a work club (supported by Clarion Housing) at the Kentwood Centre, which is located in Penge ward.

Additionally, Bromley Youth Support Programme continue to offer a virtual drop in three times a week for young people aged 16 – 19 (and up to 25 with special educational needs and disabilities). These sessions will return to face-to-face sessions in the next six weeks.

Whilst these are not job club activities, from engagement at these drop ins, young people are supported by staff on an individual and sometimes group basis with employability activities and can be linked to work related learning activity via the

Education Business Partnership team. These activities, once they resume as face to face, will take place in Penge and Cator, Cray Valley West and Bromley Town.

**Supplementary Question:**

Could I ask you to put that in writing to me please? Can you put in some ballpark figures if there is any direct funding from Bromley Council?

**Reply:**

I shall be glad to do so.

**12. From Cllr Kevin Kennedy-Brooks to the Portfolio Holder for Environment & Community Services**

I have had an increase in residents complaining about repairs to roads such as potholes. How does the Council proactively monitor contractors to ensure their repairs are adequate?

**Reply:**

All repairs to potholes etc. are guaranteed for two years. Sample inspections are undertaken of 10% of all repairs to ensure compliance with the specification, along with any other repairs which are brought to our attention.

**Supplementary Question:**

That is a very interesting answer because I have had a number of people, especially concerning roads, where they are saying that potholes have been filled in after being reported on Fix my Street, but it has not been anything near two years before the trouble has recurred. Bromley is a commissioning Council, so what actions are being undertaken to ensure that we do monitor comprehensively our contractors to make sure that they are delivering a quality service?

**Reply:**

If potholes are identified during inspections or via Fix my Street a location that has been previously fixed (the team of officer will have that record) they will go back to the contractor and enforce that warranty aspect. They will look at the condition of the road. If we take Crofton Road, for example, that was in such a poor condition that although when the pothole was fixed it fixed to the remaining sub-strata, but the sub-strata then came out. It was a part of the principal road network that we had been bidding to TfL who are responsible for re-surfacing the principal road network to have that repaired for a good number of years. We were finally able to do that over the last year.

Once it is reported, we will follow it up and follow the warranty, as long as it is down to the quality of the repair, not if it is one of the roads that is about to be replaced, when it would feature in the next replacement programme (which did go to the Last PDS).

**Supplementary Question from Cllr Simon Fawthrop:**

Would the Portfolio Holder agree with me that if Sadiq Khan actually controlled his budget there might be some more money for our roads rather than, for example, doubling his PR budget.

**Reply:**

There are many aspects where we bid in to TfL, which is part of the Mayor's remit. Where we prioritise investment recognised by the Mayor because it is fully compliant with our LIP and the Mayor approves our LIP, we hope that he will fund those going forward.

**Supplementary Question from Cllr Simon Jeal:**

Could I ask how much the Council has spent on repairing potholes over the past year and over the past four years how many repairs have had to be undertaken on potholes within the two-year guarantee period?

**Reply:**

I do not have those numbers at the tip of my fingers. We have a budget monitoring paper on that which will give the highways repairs budget and that has been fully spent this year on potholes. It may be something that I can release to you as a councillor in terms of what has been required under the warranty aspect.

**13. From Cllr Nicholas Bennett MA JP to the Leader of the Council**

What weight is given to representations by local organisations claiming to represent local residents which appear to have no constitution or democratic process for electing the organisation's leaders?

**Reply:**

Appropriate weight is given to every representation received from any Member of the public.

My personal approach is to evaluate the merit, or otherwise, of whatever it is which is being asked of us and to then respond accordingly rather than differentiate as to who is asking the question. But Cllr Bennett is unquestionably correct to allude that properly constituted organisations speak with a far greater authority than others which aren't.

**Council**

**11<sup>th</sup> April 2022**

**Questions from Members of the Council for Written Reply**

**1. From Cllr Ian Dunn to the Portfolio Holder for Adult Care & Health**

Please provide details of the process used to determine whether an adult with learning difficulties should be cared for in Residential Care, Supported Living or be supported to live at home.

**Reply:**

The first step is a formal Care Act assessment to determine an individual's eligibility for services as well as their need's, outcomes and any risks that may need addressing. If we consider that an individual's needs are too high or too complex to be managed within their own home through the provision of a Care Package or Direct Payments, alternatives will be discussed. Extra Care (ECH) or supported housing would be the next consideration, as these options offer a home from home solution where clients with learning disabilities can develop independence skills whilst being within an environment where they can still receive care and support. If an individual requires a more intense level of support during the day or has presenting needs during the night, consideration would be given to a residential care home for younger adults with LD.

If a person has capacity they will be fully engaged in decision making about their care and support needs, however if they lack capacity they may require a family member or a Care Act advocate to support decision making. There may be a need for a 'Best Interest' meeting if there are objections. Once all parties are in agreement the Care Manager will write up and share the Assessment of need and Support Plan and take the request through the Departments Authorisation process before referring to ECH or Supported Housing or ask the Central Placements Team to provide some residential placement options to the to the client, their family or representative.

**2. From Cllr Ian Dunn to the Portfolio Holder for Adult Care & Health**

The 2019/20 Annual Report from the Bromley Safeguarding Adults Board refers to the Board taking the decision to commission a Safeguarding Adults Review relating to a care home in the borough, with a hope that it will be published in early 2021. Why has it taken so long to produce this report and when will it be published on the BSAB website?

**Reply:**

This relates to a historic safeguarding adult review, which was raised as an organisational safeguarding concern. The review has been complex as it involved many agencies, with parallel investigations dealing with historic issues. Once signed off the review will be reported as part of the next Annual Review of the BSAB, and consideration will be given as to how it is published, as is the agreed policy. It is important to note that actions from the SAR have been implemented and are monitored by the Safeguarding Adults Board.

**3. From Cllr Vanessa Allen to the Portfolio Holder for Renewal, Recreation & Housing**

The Beckenham Lace was a dedicated gift to the former Borough of Beckenham, recognising the many deaths and suffering inflicted on its citizens due to bombing in the Second World War. Can the Portfolio Holder please explain why it was decided to display it in Bromley Public Library, and not in a public building in Beckenham, such as the foyer of the Public Halls, or Beckenham Library.

**Reply:**

Mounted and framed, Battle of Britain Lace panels are huge, standing at almost 5 metres in height. The ground floor ceiling height in the Beckenham Public Hall entrance foyer is 3.3m and in the stairwell, the floor to cornice span is 4.64metres which does not provide enough space. When considering other possible locations in Bromley buildings, we had to consider that the conservation grade frame will project forward 20cm which creates further restrictions on the location, and that the location needs to be accessible in a public space. Bromley Central Library has therefore been found to be the most suitable, if only suitable, location.

**4. From Cllr Josh King to the Portfolio Holder for Environment & Community Services**

How many "no idling" signs or other signs which encourage drivers to switch off their engines while stationary, has the Council put up in the last four years.

**Reply:**

We currently have 115 signs installed in the Borough to enable Anti-Idling enforcement to take place. We have also provided 32 banners for schools to place on railings to promote the Anti-Idling campaign.

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

How long is it taking to review applications for the Bromley household support fund and make decisions?

**Reply:**

We are currently awaiting Government guidance for the latest tranche of these monies and will advise accordingly at point. As per the answers at the previous Council meetings, all applications under the scheme have already been dealt with.

**6. From Cllr Ryan Thompson to the Portfolio Holder for Environment & Community Services**

How many pollution monitoring devices does Bromley Council own outright?

**Reply:**

Permanent Air Quality Monitoring Equipment owned by LBB:

- 1 x PM10 analyser
- 1 x PM2.5 analyser
- 1 x NOx analyser

LBB also have a network of 32 sites where we expose 'one-use' diffusion tubes. Once the tubes are analysed in a laboratory, the results provide the monthly exposure to Nitrogen Dioxide (NO<sub>2</sub>) at that location. LBB purchase the tubes and their analysis in bulk through a contract.

**7. From Cllr Ryan Thompson to the Portfolio Holder for Environment & Community Services**

Can the Portfolio Holder please confirm how often pollution is actively measured in each ward using pollution monitoring devices?

**Reply:**

Air Pollution is monitored within the Boroughs Air Quality Management Area. The Borough's permanent monitoring station is on Harwood Avenue and contains the equipment listed in the answer to the previous question.

In addition, there are 32 locations for diffusion tubes measuring NO<sub>x</sub> currently operational in the Borough. The tubes are changed monthly.

All collected air quality data from these monitoring locations are presented in the Borough's Annual Status Report (ASR). Copies of the ASRs are available on LBBs website. Please note that these reports are produced a year in arrears due to the time it takes to collate and ratify data before the reports are finalised. We are currently working on preparing the ASR for last year, 2021.

The Borough has 2 Node (low cost) air quality analysers. These are provided and located by the Breathe London Project. Further information on the actions planned and taken to improve air quality in the Borough are detailed in the Borough's Air Quality Action Plan

To protect public safety, there are arrangements and provision for air quality monitoring in civil emergencies, e.g., large fires, gas or fume releases. These facilities are provided by the London Fire Brigade in emergency scenarios.

**8. From Cllr Nicholas Bennett MA JP to the Portfolio Holder for Renewal, Recreation and Housing**

If he will make a statement about the condition of the West Wickham Leisure Centre and future proposals for a Leisure Centre in West Wickham?

**Reply:**

The leisure centre building is coming to the end of its life. Officers have been working on options for its refurbishment and will be bringing this to committee this summer.

**9. From Cllr Nicholas Bennett MA JP to the Portfolio Holder for Environment and Community Services**

What proposals there are to improve the junction at The Avenue, Mead Way and Pickhurst Rise and at the junction of The Avenue and Goodhart Way West Wickham following the meeting between ward councillors, local residents and council officers on February 8<sup>th</sup>?

**Reply:**

Although there are minimal injury collisions at the junction of The Avenue with Mead Way, it has been established that a series of minor collisions have taken place here involving vehicles turning right from Mead way into Pickhurst Lane failing to give way to cars going ahead from The Avenue into Mead Way. Officers are discussing options with TfL, who are responsible for signals across London. No improvements have been identified as yet.

In regard to the junction of The Avenue with Goodhart Way, the Council is seeking to identify funding to install a speed activated sign to encourage southbound drivers to slow as they approach this junction, it is likely this will depend on the response from TfL to future bids for funding.



## LONDON BOROUGH OF BROMLEY

### ANNUAL MEETING OF THE COUNCIL 18<sup>th</sup> MAY 2022

#### DETAILS OF COUNCILLORS ELECTED ON 5<sup>th</sup> MAY 2022

The particulars are as stated in the nomination in each case

Surname	First Names	Address	Description
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#### BECKENHAM TOWN AND COPERS COPE WARD

CONNOLLY	Will	(Address in London Borough of Bromley)	Liberal Democrat
ROSS	Chloe-Jane	(Address in London Borough of Bromley)	Liberal Democrat
TICKNER	Michael John	3 Arbor Close Beckenham BR3 6TW	Conservative

#### BICKLEY AND SUNDRIDGE WARD

GABBERT	Kira	(Address in London Borough of Bromley)	Conservative
LYMER	Kate	(Address in London Borough of Bromley)	Conservative
SMITH	Colin Paul	Merryn Warren Road Hayes Bromley BR2 7AN	Conservative

#### BIGGIN HILL WARD

DUNBAR	Sophie Alexandra	(Address in London Borough of Bromley)	Independent
STEVENS	Melanie May	(Address in London Borough of Bromley)	Independent

<b>Surname</b>	<b>First Names</b>	<b>Address</b>	<b>Description</b>
<b>BROMLEY COMMON AND HOLWOOD WARD</b>			
GUPTA	Sunil	(Address in London Borough of Bromley)	Conservative
JEFFERYS	David Barrington	17 Scotts Avenue Bromley Kent BR2 0LG	Conservative
LIDLAW	Jonathan	17 Molliner Court 15 Brackley Road Beckenham BR3 1RX	Conservative
<b>BROMLEY TOWN WARD</b>			
CASEY	Graeme	(Address in London Borough of Bromley)	Liberal Democrat
IRELAND	Julie Mary	(Address in London Borough of Bromley)	Liberal Democrat
WEBBER	Sam	(Address in London Borough of Bromley)	Liberal Democrat
<b>CHELSFIELD WARD</b>			
BOTTING	Mike	3 Moat Close Orpington Kent BR6 6ET	Conservative
PAGE	Angela	27 Repton Road Orpington BR6 9HR	Conservative

<b>Surname</b>	<b>First Names</b>	<b>Address</b>	<b>Description</b>
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**CHISLEHURST WARD**

JACK	Michael William	3 The Mount, Susan Wood Chislehurst BR7 5NG	Chislehurst Matters
SMITH	Mark Jeffrey	20 Whitehorse Hill Chislehurst BR& 6DL	Chislehurst Matters
STAMMERS	Alison	3 Willow Vale Chislehurst BR7 5DF	Chislehurst Matters

**CLOCK HOUSE WARD**

ADAMS	Jeremy Richard	(Address in London Borough of Bromley)	Labour
ARNOLD	Jessica Lily	(Address in London Borough of Bromley)	Labour
KING	Josh	Flat 5, Maureen Court 209 Mackenzie Road Beckenham Kent BR3 4SE	Labour

**CRYSTAL PALACE AND ANERLEY WARD**

MCGREGOR	Ruth Helen	(Address in London Borough of Bromley)	Labour
THOMSON	Ryan David	(Address in London Borough of Bromley)	Labour

**DARWIN WARD**

ANDREWS	Jonathan James	31 South Drive Orpington Kent BR6 9NG	Conservative
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<b>Surname</b>	<b>First Names</b>	<b>Address</b>	<b>Description</b>
<b>FARNBOROUGH AND CROFTON WARD</b>			
EVANS	Bob	(Address in London Borough of Bromley)	Conservative
JOEL	Charles	61 Ferndown Avenue Orpington Kent BR6 8DE	Conservative
MARLOW	Christopher	Flat 2, Vanda Court 125 Lower Camden Chislehurst BR7 5JD	Conservative
<b>HAYES AND CONEY HALL WARD</b>			
LEE	Andrew	(Address in The Royal Borough of Greenwich)	Conservative
MICHAEL	Alexa Christine Anne	33 Kingswood Road Shortlands Bromley Kent BR2 0HG	Conservative
TURRELL	Thomas Frederick	(Address in London Borough of Bromley)	Conservative
<b>KELSEY AND EDEN PARK WARD</b>			
DEAN	Peter Leslie	(Address in London Borough of Bromley)	Conservative
HARRIS	Christine	(Address in London Borough of Bromley)	Conservative
SMITH	Diane Helen	(Address in London Borough of Bromley)	Conservative

<b>Surname</b>	<b>First Names</b>	<b>Address</b>	<b>Description</b>
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**MOTTINGHAM WARD**

CARTWRIGHT	David	5 Grove Park Road Mottingham London SE9 4NP	Conservative
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ROWLANDS	Will	8 Cherry Orchard Close St Mary Cray BR5 4BN	Conservative ON
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**ORPINGTON WARD**

BOTTING	Kim Davina	Bodiam House 3 Moat Close Orpington Kent BR6 6ET	Conservative
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TUNNICLIFFE	Pauline Anne	Holly Cottage 9 Holly Road Chelsfield Kent BR6 6BE	Conservative
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**PENGE AND CATOR WARD**

BANCE	Kathy	17 Pawleyne Close Penge London SE20 8JH	Labour
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JEAL	Simon David	(Address in London Borough of Bromley)	Labour
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KENNEDY- BROOKS	Kevin	(Address in London Borough of Bromley)	Labour
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**PETTS WOOD AND KNOLL WARD**

FAWTHROP	Simon Henry	3 Monarch Close West Wickham Kent BR4 9DQ	Conservative
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<b>Surname</b>	<b>First Names</b>	<b>Address</b>	<b>Description</b>
ONSLOW	Keith	114 St John's Road Petts Wood Orpington BR5 1HZ	Conservative
OWEN	Tony	12 The Maltings Orpington Kent BR6 0DH	Conservative

#### **PLAISTOW WARD**

IGOE	Alisa Elaine Ide	(Address in London Borough of Bromley)	Labour
MCPARTLAN	Tony	(Address in London Borough of Bromley)	Labour

#### **SHORTLANDS AND PARK LANGLEY WARD**

BAINBRIDGE	Felicity Jessica	(Address in London Borough of Bromley)	Conservative
CUTHBERT	Aisha Elyse Vance	(Address in London Borough of Bromley)	Conservative
GRANT	Adam Jude	(Address in London Borough of Bromley)	Conservative

#### **ST MARY CRAY WARD**

BEAR	Yvonne Jasmine Mary	(Address in London Borough of Bromley)	Conservative
SLATOR	Shaun	15 Gilroy Way Orpington BR5 4JD	Conservative
STRANGER	Harry Randolph	21 Sherlies Avenue Orpington BR6 9RE	Conservative

<b>Surname</b>	<b>First Names</b>	<b>Address</b>	<b>Description</b>
<b>ST PAUL'S CRAY WARD</b>			
HITCHINS	Colin Walter	(Address in London Borough of Bromley)	Conservative
PRICE	Chris	(Address in London Borough of Bromley)	Labour
WIFFEN	Rebecca Louise	(Address in London Borough of Bromley)	Labour

**WEST WICKHAM WARD**

BENNETT	Nicholas Jerome	18 Upper Park Road Bromley BR1 3HT	Conservative
BROCK	Mark	280 Pickhurst Rise West Wickham BR4 0AX	Conservative
GRAY	Hannah	34 Cherry Tree Walk Beckenham BR3 3PG	Conservative

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Report No.  
CSD22

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** COUNCIL

**Date:** 18 May 2022

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** **MINOR CHANGES TO THE CONSTITUTION AND ESTABLISHMENT OF AN AUDIT AND RISK MANAGEMENT COMMITTEE**

**Contact Officer:** Graham Walton, Democratic Services Manager  
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

**Chief Officer:** Tasnim Shawkat, Director of Corporate Services and Governance

**Ward:** All

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1. Reason for decision/report and options

- 1.1 At its meeting on 5<sup>th</sup> April 2022, the General Purposes and Licensing Committee received a report proposing some minor changes to the Council's Constitution to ensure that it is up-to-date for the new Council, and also proposing that the Audit Sub-Committee be replaced with an Audit and Risk Management Committee. The Committee agreed the proposals for consideration by Council, subject to recommending that functions relating to the annual statement of accounts should transfer to the new Audit and Risk Management Committee.

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2. **RECOMMENDATIONS**

**(1) Authority be given to the Director of Corporate Services and Governance to make minor changes to the Constitution to ensure that the wording is kept up to date, in particular in respect of the reduction in the number of Members after the 2022 local election and officer titles.**

**(2) That External Audit and Annual Statement of Accounts, Probity Strategy, Audit and Fraud Prevention be removed from the terms of reference of the General Purposes and Licensing Committee and an Audit and Risk Management Committee be set up to replace the Audit Sub-Committee, with the Terms of Reference set out in Appendix A to this report.**

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
- 

## Transformation Policy

1. Policy Status: Existing Policy:
  2. Making Bromley Even Better Priority (delete as appropriate):  
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- 

## Financial

1. Cost of proposal: No Cost
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: Democratic Representation
  4. Total current budget for this head: £1,094k
  5. Source of funding: Revenue Budget
- 

## Personnel

1. Number of staff (current and additional): Not Applicable
  2. If from existing staff resources, number of staff hours: Not Applicable
- 

## Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: Not Applicable: Council decisions are not subject to call-in
- 

## Procurement

1. Summary of Procurement Implications: Not Applicable
- 

## Property

1. Summary of Property Implications: Not Applicable
- 

## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
- 

## Customer Impact

1. Estimated number of users or customers (current and projected): Not Applicable
- 

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

Proposed terms of reference -

**2.01 General Purposes and Licensing Committee** (Membership proportional – may include one Member of the Executive from each recognised party group, subject to Executive Members not being in a majority.)

- (a) Electoral issues
- (b) Making byelaws
- (c) Staffing matters
- (d) Open Government
- (e) Complaints Procedures
- (f) Member Appointments
- (g) Health and Safety
- (h) Licensing of births, deaths and marriages
- (i) Licensing matters, including, where appropriate, determining cases relating to individual licenses
- (j) Non-executive highway functions as set out in Schedule 1 of the Functions Regulations (excluding functions under the Town and Country Planning Act 1990.)
- (k) Any non-executive function not delegated elsewhere or reserved to Council.

**2.02 Audit and Risk Management Committee** (Membership proportional, and to exclude any member of the Executive.)

- To approve the internal audit charter.
- To approve the risk-based internal audit plan.
- To consider reports from the Head of Audit and Assurance on internal audit performance and outcomes during the year, including key findings and actions and areas where management has accepted a level of risk that may be unacceptable to the Council or there are concerns about progress with the implementation of agreed actions.
- To consider the Head of Audit and Assurance's annual report and opinion.
- To have oversight of, and contribute towards, the Quality Assurance and Improvement Programme and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
- To ensure the independence of Internal Audit, through making appropriate enquiries of both management and the Head of Audit and Assurance to determine if there are any inappropriate scope or resource limitations.
- To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the Head of Audit and Assurance. To approve and periodically review safeguards to limit such impairments.
- Consider the reports of external audit and inspection agencies.
- To monitor the effective development and operation of Risk Management in the Council

- To monitor the Counter Fraud and Corruption strategy, actions and resources
- To monitor the effectiveness of Counter Fraud arrangements including assessment of fraud risks, actions and responses
- Seek assurances that action is being taken on risk related issues identified by auditors and inspectors.
- To review and approve the Annual Governance Statement, ensuring that this properly reflects the risk environment and any actions required to improve it.
- Ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is demonstrated and actively promoted.
- Review the financial statements, external auditor's opinion and reports to members, and monitor management action in response to the issues raised by external audit.

<b>Non-Applicable Headings:</b>	Impact on vulnerable adults and children/Policy/Finance/Personnel/Legal/Procurement/Property/Carbon Reduction/Customer/Ward Councillors
Background Documents: (Access via Contact Officer)	None

**Decision Maker:** GENERAL PURPOSES AND LICENSING COMMITTEE

**Date:** 5 April 2022

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** MINOR CHANGES TO THE CONSTITUTION AND ESTABLISHMENT OF AN AUDIT AND RISK MANAGEMENT COMMITTEE

**Contact Officer:** Graham Walton, Democratic Services Manager  
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

**Chief Officer:** Tasnim Shawkat, Director of Corporate Services and Governance

**Ward:** All

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1. Reason for decision/report and options

- 1.1 This report seeks authority to make some minor changes to the Council's Constitution to ensure that it is up-to-date for the new Council to be elected in May 2022, and also proposes that Members enhance the status of the Audit Sub-Committee by replacing it with an Audit and Risk Management Committee.

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2. **RECOMMENDATIONS**

**(1) Authority be given to the Director of Corporate Services and Governance to make minor changes to the Constitution to ensure that the wording is kept up to date, in particular in respect of the reduction in the number of Members after the 2022 local election and officer titles.**

**(2) That "(d) Probity Strategy," "(e) Audit" and "(g) Fraud Prevention" be removed from the terms of reference of the General Purposes and Licensing Committee and "External Audit and Annual Statements of Accounts" be added (with other items re-numbered) and an Audit and Risk Management Committee be set up in the new Council year to replace the Audit Sub-Committee, with the Terms of Reference set out in paragraph 3.2 in this report.**

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
- 

## Transformation Policy

1. Policy Status: Existing Policy:
  2. Making Bromley Even Better Priority  
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- 

## Financial

1. Cost of proposal: No Cost
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: Democratic Representation
  4. Total current budget for this head: £1,094,730
  5. Source of funding: Revenue Budget
- 

## Personnel

1. Number of staff (current and additional): Not Applicable
  2. If from existing staff resources, number of staff hours: Not Applicable
- 

## Legal

1. Legal Requirement: Statutory Requirement:
  2. Call-in: Not Applicable: Non-executive decisions are not subject to call-in.
- 

## Procurement

1. Summary of Procurement Implications: Not Applicable
- 

## Property

1. Summary of Property Implications: Not Applicable
- 

## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
- 

## Customer Impact

1. Estimated number of users or customers (current and projected): Not Applicable
- 

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not Applicable

### 3. COMMENTARY

- 3.1 The new Council to be elected in May 2022 will see a reduction in the number of Members from 60 to 58. The number of Members is mentioned in the Constitution, which should be updated to reflect this. It is also recommended that the opportunity is taken to make other minor changes to keep the Constitution up to date. Most of the changes are to correct officer titles which have changed in recent years, especially the title of the Director of Corporate Services, who is now the Director of Corporate Services and Governance. A schedule of the changes in Parts 1 to 4 of the Constitution is attached as Appendix A. Any similar changes required in the Appendices to the Constitution will also be made.
- 3.2 In May 2021, the Council appointed a Pensions Committee reporting directly to Council in place of the former Pensions Investment Sub-Committee, which reported to General Purposes and Licensing Committee. Members of the Audit Sub-Committee have discussed a similar approach to their Sub-Committee - the appointment of an Audit and Risk Management Committee reporting direct to Council. If Members are minded to follow this approach the following terms of reference are proposed which are in line with CIPFA model terms of reference. Probity strategy, audit and fraud prevention will be removed from the General Purposes and Licensing Committee's terms of reference, but it is proposed that responsibility for External Audit and Annual Statements of Accounts will remain with General Purposes and Licensing Committee.

2.02 **Audit and Risk Management Committee** (Membership proportional, and to exclude any member of the Executive.)

- To approve the internal audit charter.
- To approve the risk-based internal audit plan.
- To consider reports from the Head of Audit and Assurance on internal audit performance and outcomes during the year, including key findings and actions and areas where management has accepted a level of risk that may be unacceptable to the Council or there are concerns about progress with the implementation of agreed actions.
- To consider the Head of Audit and Assurance's annual report and opinion.
- To have oversight of, and contribute towards, the Quality Assurance and Improvement Programme and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
- To ensure the independence of Internal Audit, through making appropriate enquiries of both management and the Head of Audit and Assurance to determine if there are any inappropriate scope or resource limitations.
- To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the Head of Audit and Assurance. To approve and periodically review safeguards to limit such impairments.
- To monitor the effective development and operation of Risk Management in the Council
- To monitor the Counter Fraud and Corruption strategy, actions and resources
- To monitor the effectiveness of Counter Fraud arrangements including assessment of fraud risks, actions and responses

- Seek assurances that action is being taken on risk related issues identified by auditors and inspectors.
- To review and approve the Annual Governance Statement, ensuring that this properly reflects the risk environment and any actions required to improve it.
- Ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is demonstrated and actively promoted.

3.3 The Chairman of Audit Sub-Committee currently receives a special responsibility allowance of £2,064pa and this will be applied to the Chairman of the new Committee. This is the same as the allowance paid to the Chairman of the Pensions Committee. Any change beyond this will require Council to make a formal change to the Members Allowances Scheme.

<b>Non-Applicable Headings:</b>	Impact on vulnerable adults and children/Policy/Finance/Personnel/Legal/Procurement/Property/Carbon Reduction/Customers/Ward councillors
Background Documents: (Access via Contact Officer)	LBB Constitution



## Schedule of Changes to the Constitution (Parts 1 -4)

Section	Page	Amendment
Summary	6	<u>58</u> councillors
Summary	8	Director of Corporate Services <u>and Governance</u>
Article 2 – 2.01	13	<u>58</u> members ...Local Government <u>Boundary</u> Commission
Article 4 - 4.02	18	<u>Making Bromley Even Better</u>
Article 6 – 6.01	21	Executive, Resources <u>and Contracts</u>
Article 6 – 6.01	21	The Resources, <u>Commissioning and Contract Management</u> Portfolio
Article 6 – 6.03 (d)	23	PDS <u>committees</u>
Article 12 – 12.01	37	Director of Corporate Services <u>and Governance</u>
Article 12 – 12.01	38	Director of Children, <u>Education and Families</u>
Article 12 – 12.01	38	Director of Housing, Planning, <u>Property</u> and Regeneration
Article 12 – 12.01	38	Director of Human Resources, Customer Services <u>and Public Affairs</u>
Article 12 – 12.01	38	Director of Corporate Services <u>and Governance</u>
Article 14 – 14.03	45	Director of Corporate Services <u>and Governance</u>
Article 15 – 15.01/03	47	Director of Corporate Services <u>and Governance</u>
Article 16 – 16.03	50	Director of Corporate Services <u>and Governance</u>
Executive Portfolios	61	<u>Children, Education</u> and Families
Council Procedure Rules – 3.1 (iv)	71	Director of Corporate Services <u>and Governance</u>
Executive Procedure Rules	103	Director of Corporate Services <u>and Governance</u>
PDS Procedure Rules	108	Director of Corporate Services <u>and Governance</u>
PDS Procedure Rules	113	Director of Corporate Services <u>and Governance</u>

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Report No.  
CSD22053

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** **COUNCIL**

**18 May 2022**

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** **REVIEW OF THE SCHEME OF DELEGATION TO OFFICERS**

**Contact Officer:** Graham Walton, Democratic Services Manager  
Tel: 0208 461 7743    E-mail: graham.walton@bromley.gov.uk

**Chief Officer:** Tasnim Shawkat, Director of Corporate Services and Governance

**Ward:** All

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1. Reason for decision/report and options

- 1.1 At the annual meeting of the Council each year a Scheme of Delegation to Officers is approved by Council and the Leader. The Scheme is an appendix to the Council's Constitution. Each year the Scheme is updated to address any changes of legislation or officer responsibilities and correct any minor errors, but in the past year the General Purposes and Licensing Committee has overseen a complete re-writing of the Scheme to make it more up to date, streamlined and easy to use. No new delegation or changes of substance are proposed.

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2. **RECOMMENDATIONS**

- (1) That the Scheme of Delegations to Officers in respect of non-executive functions be approved.**
- (2) That the Scheme of Delegation to Officers in respect of executive functions be received from the Leader of the Council.**

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
- 

## Transformation Policy

1. Policy Status: Existing Policy:
  2. Making Bromley Even Better Priority (delete as appropriate):  
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- 

## Financial

1. Cost of proposal: No Cost:
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £366k
  5. Source of funding: Revenue Budget
- 

## Personnel

1. Number of staff (current and additional): 6
  2. If from existing staff resources, number of staff hours: Not Applicable
- 

## Legal

1. Legal Requirement: Statutory Requirement: Local Government Act 1972 and subsequent legislation, including the Local Government and Public Involvement in Health Act 2007.
  2. Call-in: Not Applicable: Council decisions are not subject to call-in
- 

## Procurement

1. Summary of Procurement Implications: Not Applicable
- 

## Property

1. Summary of Property Implications: Not Applicable
- 

## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
- 

## Customer Impact

1. Estimated number of users or customers (current and projected): Not Applicable
- 

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

### **3. COMMENTARY**

- 3.1 Section 101 of the Local Government Act 1972 enables the Council to make arrangements for discharge of Council functions by officers. Similarly, under section 9E of the Local Government Act 2000 the Executive can make arrangements for discharge of executive functions by officers. The Scheme of Delegation to Officers sets out formal delegation of various powers to the Council's chief officers and their staff, and forms part of the Council's Constitution (Appendix 10).
- 3.2 The current scheme of delegation is a large and unwieldy document that has not benefitted from a substantial review for some time, other than annual updates. There is concern that some provisions might be out of date and that it would benefit from a review to make it more high-level and user friendly whilst meeting legal requirements and setting out more clearly the areas of responsibility and limitations. A scheme of delegation which aims to cover all eventualities and to list every possible legislation can be unwieldy, very restrictive and require continuous investment in time and resources to keep it up to date with changes in the law and circumstances. A high-level scheme of delegation on the other hand allows flexibility, ensures lawful delegation to catch changes in circumstances and ensures lawful and timely decisions can be made. The review and redraft of the scheme of delegation also aims to make it more user friendly and transparent. Members will retain control if clear parameters or limitations are expressly stated within the scheme of delegation.
- 3.3 The risk of not having a clear and robust scheme of delegation in place is that decisions may not be made by the right people leading to legal challenges to action being taken by the Council. It will also lead to lack of accountability if delegations are not clearly set out.
- 3.4 Under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, where executive arrangements are in place the law sets out a distinct separation between the Executive and the rest of the Council in relation to how responsibility for local authority functions is exercised. This separation between executive functions and the rest of the Council is established by exception. The default position is that every function of the local authority is an executive function unless it is one of a number of exceptions that are specifically listed in the Functions Regulations.
- 3.5 The Council's Scheme of Delegation is normally updated for approval at the Council's annual meeting each year, although under the Local Government Act 2000 any executive powers delegated to officers have to be delegated not by the Council, but by the Leader of the Council, and it is open to the Leader to table changes to the executive scheme at any time.
- 3.6 In 2021 General Purposes and Licensing Committee set up a Working Group under the chairmanship of former Councillor Stephen Wells to consider the Scheme of Delegation - the Working Group met on 7<sup>th</sup> September 2021 and recommended that a new Scheme be drawn up. The principles suggested by the Working Group, for example a more transparent and consistent structure, a more user-friendly approach and clear limits to officer powers, were incorporated into a more modern Scheme. The draft of the new Scheme was considered by General Purposes and Licensing Committee on 5<sup>th</sup> April 2022 and authority was delegated to the Director to complete the Scheme in time for consideration at the Annual Council meeting. The draft Scheme was welcomed by the Working Group at a meeting on 25<sup>th</sup> April 2022, and, with some final editing, is presented for approval.

### **4. LEGAL IMPLICATIONS**

The power for local authorities to delegate functions to officers is contained in Section 101 of the Local Government Act 1972 in respect of Council functions and section 9E of Local Government Act 2000 in respect of executive functions. The proposed new Scheme of Delegation will ensure that the Council has in place a fit for purpose scheme to ensure officers can correctly and legally exercise their powers. It will also ensure that decisions can be taken by officers on behalf of the

Council and the Executive in a timely and efficient manner whilst maintaining full accountability to members.

<b>Non-Applicable Headings:</b>	Impact on Vulnerable Adults and Children/Policy/Finance/Personnel/Legal/Procurement/Property/Carbon Reduction/Customer Impact/Ward Councillors
Background Documents: (Access via Contact Officer)	Scheme of Delegation to Officers - May 2021 Report to annual Council, 19 <sup>th</sup> May 2021, and to General Purposes and Licensing Committee on 5 <sup>th</sup> April 2022.