

LONDON BOROUGH OF BROMLEY

MINUTES

**of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 25 July 2022
(scheduled for 18th July 2022)**

Present:

**The Worshipful the Mayor
Councillor Hannah Gray**

**The Deputy Mayor
Councillor Christine Harris**

Councillors

Jeremy Adams
Jonathan Andrews
Felicity Bainbridge
Kathy Bance MBE
Kim Botting FRSA
Mike Botting
Graeme Casey
Will Connolly
Aisha Cuthbert
Peter Dean
Sophie Dunbar
Simon Fawthrop
Adam Jude Grant
Dr Sunil Gupta FRCP
FRCPATH

Colin Hitchins
Alisa Igoe
Julie Ireland
Simon Jeal
Kevin Kennedy-Brooks
Josh King
Jonathan Laidlaw
Andrew Lee
Tony Owen
Christopher Marlow
Ruth McGregor
Tony McPartlan
Alexa Michael
Angela Page
Chris Price

Chloe-Jane Ross
Will Rowlands
Shaun Slator
Colin Smith
Diane Smith
Mark Smith
Alison Stammers
Melanie Stevens
Harry Stranger
Ryan Thomson
Michael Tickner
Pauline Tunnicliffe
Thomas Turrell
Sam Webber

The meeting was opened with prayers

In the Chair
The Mayor
Councillor Hannah Gray

Before commencing with formal business, the Mayor presented a scroll to the previous Mayor, Mr Russell L Mellor, in appreciation of his service as Mayor for 2021/22.

The Mayor also presented a certificate and badge to Mr Angel Victorio on his retirement in recognition of his forty-five years of service as Council steward.

15 Apologies for absence

Apologies for absence were received from Councillors Jessica Arnold, Yvonne Bear, Nicholas Bennett, Mark Brock, David Cartwright, Robert Evans, Kira Gabbert, Mike Jack, David Jefferys, Charles Joel, Kate Lymer, Keith Onslow and Rebecca Wiffen. Councillors Bear, Jack and Wiffen joined the meeting online.

Apologies for late arrival were received from Cllr Christopher Marlow.

16 Declarations of Interest

There were no declarations of interest.

17 To confirm the Minutes of the meeting of the Council held on 18th May 2022

RESOLVED that the minutes for the annual meeting of the Council held on 18th May 2022 be confirmed.

18 Questions

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

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

Eighteen 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.

Thirteen 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.

19 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 at the request of Councillors Simon Jeal and Alisa Igoe -

(A) Planning for an Economic Downturn

Councillor Christopher Marlow, Portfolio Holder for Resources, Commissioning and Contract Management, made a statement in response to a request to explain how the Council would plan for an economic downturn over the next twelve months. He rejected the premise of the request, stating

that the greatest risk was higher inflation, with much of the Council's expenditure indexed to inflation, but its income limited. Sustained high inflation without an increase in income from Government or a higher Council Tax would cause a decline in the Council's financial strength. The administration had a laser-like focus on inflation – an example of this was that the Council had negotiated a below-inflation increase in the Liberata contract. All chief officers had been asked to explore similar opportunities, and all officers were asked to justify any increases in budget – this was the best way to mitigate this risk.

In response to questions about the risk of suppliers walking away from their contracts, or going bust, the Portfolio Holder stated that much would depend on the contract, and this was addressed through the procurement process by looking at the financial strength of the counterparties. The risk was mitigated through imposing penalties and seeking to recover costs. He also confirmed that these risks were captured on the Risk Register.

(B) High Standards in Public Office

Councillor Colin Smith, Leader of the Council, made a statement on the importance of integrity, high standards and vetting processes for candidacy for public office. He emphasised the critical importance of the seven Nolan Principles and stated that he was certain that all parties vetted and selected their candidates with these principles to the fore.

In response to questions, he agreed that, given recent events in Parliament, residents in Bromley could be confident in the integrity of their councillors and also that any question of giving a political honour to someone with a criminal record, even if spent, would be for the General Purposes and Licensing Committee to consider

20 Minor Constitutional Change - Standards Committee Report CSD22082

Two minor errors in paragraph 1.1 of the report were noted – that the proposals had been considered by General Purposes and Licensing Committee on 6th July 2022 (not Standards Committee), and that there were five Groups (not four) on the Council.

A motion to remove recommendation (2) in the report was moved by Councillor Tony McPartlan and seconded by Cllr Simon Jeal but was LOST.

A motion to update Article 9 of the Constitution replace paragraph 9.2(a) with –

“The Standards Committee will have a membership comprising one member from each minority group and sufficient members of the majority group to maintain a majority.”

and to replace paragraph 9.2 (b) with –

“Members of the Executive may sit on the Standards Committee, subject to not being in a majority.”

was moved by Councillor Pauline Tunnicliffe, seconded by Councillor Melanie Stevens and **CARRIED**.

(Note: The new membership of the Standards Committee would be Councillors Nicholas Bennett, David Cartwright, Andrew Lee, Tony McPartlan, Mark Smith, Melanie Stevens, Michael Tickner, Pauline Tunnicliffe and Sam Webber.)

21 Authorisation to proceed to Contract: Energy Services
Report CSD22084

A motion to approve the following recommendations from the Executive was moved by Councillor Christopher Marlow, seconded by Councillor Tony Owen and **CARRIED**.

(1) Approve an annual budget from October 2022 of £4,026k for the purchase of Renewable Energy Guarantees of Origin (REGO) backed electricity, an increased requirement of £1,888k on the existing budget; Members should note that the cost would be £3,965k for brown electricity, which would be a required budget increase of £1,827k.

(2) Approve an annual budget from October 2022 of £1,095k for the purchase of Renewable Gas Guarantees of Origin (RGGOs) backed gas, an increased requirement of £736k on the existing budget; Members should note that the cost would be £979k for brown gas, which would be a required budget increase of £620k.

(3) Agree a drawdown from the unallocated inflation provision in the 2022/23 Central Contingency of £1,312k for renewable energy, or £1,224k for brown energy, for the part-year increased cost in 2022/23, and to reflect the full year annual budget impact in the financial forecast.

(4) Note that the sums above are the indicative cost for first year of the 3-year contract. Energy market volatility is hard to predict and cost may go up in years 2 and 3 or may fall.

22 Treasury Management Annual Report 2021/22
Report CSD22091

A motion to

- (a) Note the Treasury Management Annual Report for 2021/22;
- (b) Approve the actual prudential indicators within the report; and

- (c) Note the publication of the revised Treasury Management and Prudential Codes, with formal adoption required in 2023/24.

was moved by Councillor Christopher Marlow, seconded by Councillor Tony Owen and **CARRIED**.

23 Annual Report of the Standing Advisory Council for Religious Education (SACRE) 2020/21
Report CSD22050

A motion to note the SACRE annual report for the academic year 2020/21 was moved by Councillor Mike Botting, seconded by Councillor Pauline Tunnicliffe and **CARRIED**.

24 Annual Report of the Health and Wellbeing Board 2021/22
Report CSD22052

A motion to receive and note the Health and Wellbeing Board Annual Report for 2021/22 was moved by Councillor Colin Smith, seconded by Councillor Diane Smith and **CARRIED**.

25 Annual Policy Development and Scrutiny (PDS) Report 2021/22
Report CSD22051

A motion to receive and note the Annual Policy Development and Scrutiny Report 2021/22 was moved by Councillor Christopher Marlow, seconded by Councillor Simon Fawthrop and **CARRIED**.

26 Councillor Attendance 2021/22
Report CSD22081

A motion to note Councillor attendance data for meetings in the 2021/22 Council year was moved by Councillor Pauline Tunnicliffe, seconded by Councillor Mike Botting and **CARRIED**.

27 Next Steps for the Crystal Palace Park Regeneration Plan (Part 1)
Report CSD22

A motion to approve the following recommendations from the Executive was moved by Councillor Tony Owen, seconded by Councillor Shaun Slator and **CARRIED** –

- (1) The decisions made by the Executive in relation to Crystal Palace Park at its meeting on 29th June 2022 be noted.
- (2) That Council approve an initial addition of £4.5m to the capital programme in 2023/24 to forward fund the capital regeneration works in Crystal Palace Park, which will need to commence prior to any of

the housing land capital receipt being received, and notes that subsequent Crystal Palace Park works will then be funded from the capital receipt from disposal of the housing land.

- (3) That Council approve the commencement of the forwarded funded heritage restoration capital works, limited to £4.5m (expected housing receipt £17.5m) noting that the capital programme will regularly be updated to reflect the impact of this on total scheme expenditure.
- (4) That Council approve the following course of action in respect of the capital requirements for the regeneration of the Park:
 - i. Approve that any capital receipt generated by the disposal of the Housing Sites will be ringfenced solely for heritage works in Crystal Palace Park, as required by the enabling development Planning Permission, as set out in paragraph 3.10 of the report.
 - ii. Agree that any capital receipt generated by the Housing Sites will be spent on the Park's Regeneration Plan capital scheme (including returning funds spent to date to the Council and the endowment) within ten years of the capital receipt entering the Council's bank account. If the funds are not spent within this time period, as set out in this report, the Council will be penalised by 2% per annum of the remaining funds and required to grant the penalty monies to the Trust.
 - iii. Approve that once the capital receipt for the Housing Sites is received that the Council's capital programme budget is increased in line with the value of the receipt, subject to details of that amendment with updated scheme costs and funding being agreed by the Executive through the capital monitoring reporting process; any such amendments will be subject to the principle that total spending on this scheme will never exceed actual income to the Council secured from capital receipts and grants and contributions from third parties.
 - iv. Agree that any interest accrued by the Council from the capital receipt for the Housing Sites is also used for the regeneration of the Park, with interest calculated at General Treasury Management rates, and the approved capital programme updated accordingly.
- (5) Agree that the spend to date of £1.185m returned to the Council will be used as the match funding required for grant applications effectively recycling the investment to date.

28 Meadowship Homes Phase 2 (Part 1)
Report CSD22083

A motion to approve the following recommendations from the Executive was moved by Councillor Tone Owen, seconded by Councillor Shaun Slator and **CARRIED –**

(1) Agree the loan of up to £15m to the LLP for a period of 50 years with annual repayments starting from year 3 of 1.6% per annum and increasing annually by CPI (collared at 0-5%), funded from unallocated balances on the Housing Investment Fund, Housing Invest to Save Fund and New Homes Bonus earmarked reserves.

(2) Agree to enter into a guarantee agreement with the Funder to guarantee the loan facility of up to £100m to the LLP and undertake to meet the liabilities of the LLP in respect of the loan facility in the event of loan repayment default.

29 To consider Motions of which notice has been given.

(A) Sporting Success

The following motion was moved by Cllr Simon Jeal and seconded by Cllr Tony McPartlan -

“The London Borough of Bromley has had a wonderful recent spell of sporting success - from Emma Raducanu at the US Open, to Bromley FC men's FA Trophy win and women's league title.

To ensure we keep delivering more sporting successes, tackle childhood obesity and promote the importance of physical activity for good health and well-being, this Council pledges to work with key stakeholders and local sports clubs to ensure that high quality:

- sporting facilities
- organised physical activity sessions
- green spaces

Are available across the Borough, with adequate financial resources, to ensure that all residents, particularly young people, can participate in sport and physical activity, regardless of financial means.

The Council also agrees that a member should be appointed as ‘Sports and Active Champion’ to lead on these efforts.”

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

(B) Cost of Living Crisis

The following motion was moved by Cllr Julie Ireland and seconded by Cllr Graeme Casey.

“Britain is undergoing the most severe cost-of-living crisis in recent history. In low-income households, particularly, people are having to choose between eating and heating. Bromley Council has a duty and the means to act. So, we are calling on the Council to declare a cost-of-living emergency and for it to refocus resources on helping Bromley residents at this dire time.

This Council should therefore take these urgent steps:

- Immediately declare a cost-of-living emergency in Bromley – making this the highest political priority and marshalling existing Council

resources to help Bromley residents. This would include undertaking urgent cost-of-living assessments for the most vulnerable residents.

- Review the use of debt proceedings against struggling residents and follow the lead of other councils by choosing not to take these cases to court.
- Speed up the release of the council tax rebate discretionary payments.
- Urgently establish a local Cost-of-Living Emergency Summit, with stakeholders, including Citizens Advice, Food Banks, Local Trades Unions, Age Concern and Chambers of Commerce and invite local MPs to attend this hybrid meeting.

We hope you share our aspirations in making sure that the Council does everything in its powers to support our residents in this cost-of-living emergency.”

The following Members voted in favour of the motion -

Councillors Jeremy Adams, Kathy Bance, Graeme Casey, Will Connolly, Alisa Igoe, Julie Ireland, Simon Jeal, Kevin Kennedy-Brooks, Josh King, Ruth McGregor, Tony McPartlan, Chris Price, Chloe-Jane Ross, Mark Smith, Alison Stammers, Ryan Thomson, and Sam Webber.

The following Members voted against the motion -

Councillors Jonathan Andrews, Felicity Bainbridge, Kim Botting, Mike Botting, Aisha Cuthbert, Peter Dean, Simon Fawthrop, Adam Grant, Dr Sunil Gupta, Christine Harris, Colin Hitchins, Jonathan Laidlaw, Andrew Lee, Christopher Marlow, Alexa Michael, Tony Owen, Angela Page, Will Rowlands, Shaun Slator, Colin Smith, Diane Smith, Melanie Stevens, Harry Stranger, Michael Tickner, Pauline Tunnicliffe, and Thomas Turrell.

The following Members abstained -

The Mayor, Cllr Hannah Gray, and Cllr Sophie Dunbar.

The motion was **LOST**.

(C) The Mayor of London's proposal to extend the Ultra-Low Emission Zone to Outer London

The following motion was moved by Cllr Colin Smith and seconded by Cllr Aisha Cuthbert -

“This Council supports the objective of improving air quality and to this end has published a comprehensive Air Quality Action Plan 2020-2025 with a matrix of twenty-five actions. The Council is committed to ensuring that its operation is carbon net zero by 2027. In addition, a further 5,000 trees are being planted on the borough's roads to add to the existing 36,000. We are also continuing our rollout of LED street lighting, installing new electric charge points, and investing in renewable energy. The Council, however, disagrees

strongly with the proposal to extend the Ultra-Low Emission Zone (ULEZ) to outer London by August 2023. Bromley is, geographically, the largest London Borough, and contains many rural areas which have little public transport and where, unlike inner London, residents are dependent on their cars. The Council is particularly concerned about the impact on the self-employed, small businesses which rely on their vehicles to conduct their trade and on elderly residents and others on fixed incomes. Already facing substantial increases in fuel costs, the imposition of a daily charge to drive in the borough will be an additional financial burden and, for many, without the means purchase a compliant vehicle, it will mean they can no longer trade or afford to drive. The imposition of the ULEZ charge on motorists, including those entering Bromley from neighbouring counties will also be detrimental, especially for those like nurses, police officers, supermarket shelf fillers and others working anti-social hours when public transport is not available. The Council therefore calls on Sadiq Khan, the Mayor of London, to abandon his plans to extend the ULEZ.”

The following amended version of the motion was moved by Cllr Alisa Igoe and seconded by Cllr Jeremy Adams –

“The Council, however, has concerns about the proposal to extend the Ultra-Low Emission Zone (ULEZ) to outer London by August 2023. Bromley is, geographically, the largest London Borough, and contains many rural areas which have little public transport and where, unlike inner London, residents are dependent on their cars. The Council is particularly concerned about the impact on the self-employed, small businesses which rely on their vehicles to conduct their trade and on elderly residents and others on fixed incomes. Already facing substantial increases in fuel costs, the imposition of a daily charge for those with non-compliant vehicles, estimated to be fewer than one in five in outer London, to drive in the borough, will be an additional financial burden and, for many, without the means to purchase a compliant vehicle, it could mean they can no longer trade or afford to drive. The imposition of the ULEZ charge on motorists who have noncompliant vehicles, including those entering Bromley from neighbouring counties, could also be detrimental, especially for those like nurses, police officers, supermarket shelf fillers and others working anti-social hours when public transport is not available. The Council therefore calls on the new Prime Minister and Sadiq Khan to work constructively to agree adequate funding for a scrappage scheme that will leave no one who has to change their vehicle significantly out of pocket while removing these polluting vehicles from London’s roads, improving air quality and reducing the harm to residents’ health caused by air pollution.”

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

The following Members voted in favour of the original motion -

Councillors Jonathan Andrews, Felicity Bainbridge, Kim Botting, Mike Botting, Aisha Cuthbert, Peter Dean, Sophie Dunbar, Simon Fawthrop, Adam Grant, Dr Sunil Gupta, Christine Harris, Colin Hitchins, Jonathan Laidlaw, Andrew Lee, Christopher Marlow, Alexa Michael, Tony Owen, Angela Page, Will Rowlands, Shaun Slator, Colin Smith, Diane Smith, Alison Stammers, Melanie

Stevens, Harry Stranger, Michael Tickner, Pauline Tunnicliffe, and Thomas Turrell.

The following Members voted against the original motion -

Councillors Jeremy Adams, Kathy Bance, Graeme Casey, Will Connolly, Alisa Igoe, Julie Ireland, Simon Jeal, Kevin Kennedy-Brooks, Josh King, Ruth McGregor, Tony McPartlan, Chris Price, Chloe-Jane Ross, Mark Smith, Ryan Thomson, and Sam Webber.

The Mayor, Cllr Hannah Gray abstained.

The original motion was **CARRIED**.

(During consideration of this item the Mayor drew attention to the fact that the meeting had reached the three-hour limit set out in Council Procedure Rule 8; members agreed to continue the meeting until all business was completed.)

30 The Mayor's announcements and communications.

The Mayor thanked members for attending the following events –

- The Armed Forces Day service in June
- The Bromley Stars staff awards on 1st July
- The Reception for Voluntary Workers on 21st July

The Mayor also informed Members about the following forthcoming events –

- A fundraising event for Ukraine, supported by Rotary Clubs, on 24th August (independence day in Ukraine)
- A charity concert on the lawn of the Old Palace on 24th September
- A Ball at Oakley House on 19th November
- A Burns Night in January
- A Dinner at the Royal Artillery Company in the Spring

She also reminded members about the prize draw to win a flight in a Spitfire.

31 Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, and the Freedom of Information Act 2000

RESOLVED that the Press and public be excluded during consideration of the items of business referred to below as it is likely in view of the

nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

The following summaries
refer to matters involving exempt information

**32 Next Steps for the Crystal Palace Park Regeneration Plan
 (Part 2)
 Report CSD22085B**

A motion to note the exempt information relating to Crystal Palace Park was moved by Councillor Tony Owen, seconded by Councillor Shaun Slator and **CARRIED.**

**33 Meadowship Homes Phase 2 (Part 2)
 Report CSD22083B**

A motion to note the exempt information relating to Meadowship Homes Phase 2 was moved by Councillor Tony Owen, seconded by Councillor Shaun Slator and **CARRIED.**

The Meeting ended at 10.27 pm

Mayor

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Council

25th July 2022

Questions from Members of the Public for Oral Reply

1. From John Gardner to the Portfolio Holder for Transport, Highways and Road Safety

Following road surveys for the prioritisation of funding for maintenance, do the Council prioritise repairs to main thoroughfares, rather than small crescents or cul-de-sacs? This seems the case in our area even though some are high traffic areas.

Reply:

Regular safety inspections are undertaken to ensure that all roads and footways in the borough are in a safe condition. All roads, regardless of road class or usage, are maintained to the same standards. Boroughwide condition surveys are also used to identify those roads and footways that may require planned maintenance. As well as surface condition, road classification and usage are also considered as part of the prioritisation process, but this does not preclude the inclusion of quieter roads and cul-de-sacs that are found to be in a poor structural condition.

2. From John Gardner to the Portfolio Holder for Transport, Highways and Road Safety

Why has Hillview Crescent in Orpington, BR6 0SL been repeatedly overlooked when it comes to highway maintenance and repair? All adjacent roads have seen major works to the road, pavements and crossovers in this and in previous years.

Reply:

The last walked safety inspection of Hillview Crescent was completed on 11/08/21, when one footway repair was identified. The next safety inspection is due next month. Our current footway maintenance policy is to undertake localised repairs when required rather than wholesale resurfacing. The latest carriageway condition survey identified Hillview Crescent to be in a sound structural condition, with only minor surface defects. This will continue to be monitored and considered for patching or resurfacing in the future.

(As Mr Gardner was not present at the meeting written replies were sent.)

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Council

25th July 2022

Questions from Members of the Public for Written Reply

1. From Richard Gibbons to the Portfolio Holder for Transport, Highways and Road Safety

Regarding DfT 'Active Travel: toolkit for local authorities'
<https://www.gov.uk/government/publications/active-travel-local-authority-toolkit/active-travel-local-authority-toolkit>

The DfT's Active Travel Toolkit includes four primary actions for local authorities:

1. Develop a Local Cycling and Walking Infrastructure Plan
2. Develop a Travel Demand Management Plan
3. Plan for active travel
4. Develop a behaviour change programme for active travel

Will the Portfolio Holder follow his Government's guidance?

Reply:

Bromley's Transport Plan, LIP3, is very much in line with national and regional guidance.

2. From Richard Gibbons to the Portfolio Holder for Transport, Highways and Road Safety

Regarding DfT Active Travel England
<https://www.telegraph.co.uk/business/2022/07/01/less-mile-cycle-walk-urges-chris-boardman/>

How will the Portfolio Holder rise to the challenge of the Government's National Active Travel Commissioner, Chris Boardman, who has said "we have to drive a lot less", and that "cars should not be used for journeys less than a mile" where people are able to in LB Bromley?

Reply:

Bromley continues to support and encourage alternatives to the car where this is possible, but it will be for individuals to decide how they need to travel.

3. From Andrew Stotesbury to the Portfolio Holder for Renewal, Recreation and Housing

Please confirm that Bromley Council are rigorously applying 'Planning Gateway One' that the Government introduced in August 2021 as part of reforms to the building safety regime following the Grenfell disaster for higher risk building applications.

Reply:

Planning Gateway One is being implemented as required in legislation.

4. From Andrew Stotesbury to the Portfolio Holder for Renewal, Recreation and Housing

If it is - Please detail the response from the H&SE or Building Safety Regulator for the Areli Development for the Walnuts which was submitted in December 2021.

Reply:

The HSE response is attached. (Appendix 1)

5. From Brayley Small to the Portfolio Holder for Sustainability, Green Services and Open Spaces

I refer to the Annual Policy Development and Scrutiny (PDS) Report 21/22 item 7 in which the Committee states that it has "...pushed our suppliers to match our net zero ambitions..." Please state how many contractors the Council uses in total and which ones (by name) have committed to match the Council's net zero ambition of 2027.

Reply:

As of 15th July, there were 327 live contracts on the Council's Contract Database, comprised of 267 providers. The Corporate Procurement Team is not aware of any contractors that have committed to match the Council's net zero ambition of 2027; this target is monitored through the Environment and Public Protection Department.

This is in the context that almost all existing contracts were tendered prior to the introduction of the net zero ambition.

Substantive response

Substantive response from the Health and Safety Executive (HSE) to the local planning authority (LPA) as a statutory consultee.

To LPA	Bromley
LPA planning ref no	21/05907/OUT
Our ref	pgo-0824
Site address	The Walnuts Shopping Centre High Street Orpington
Proposal description	Demolition of existing buildings and comprehensive redevelopment of the site to provide a mixed use scheme. Full planning permission is sought for the construction of part of Block A (A1 and A2) (max height 126.18m AOD), part of the podium at ground and first floor of Block A3, and the public realm throughout the Site. Block A (A1 and A2) will provide 251 residential units and 908.6 sqm of Use Class E (a), (b) and Sui Generis floorspace. Outline permission with all matters reserved is sought for the redevelopment of the remainder site consisting of the construction of blocks (Blocks A3 to F) ranging from 4 to 19 storeys (maximum height 126.18m AOD) with Blocks A-C connected to a podium (above existing ground floor); provision of up to 4,806 sqm (GIA) of Use Class E (a), (b) and Sui Generis floorspace, up to 9,434 sqm (GIA) of Use Class E (d) floorspace, up to 903.9 sqm (GIA) of Use Class E (f) floorspace and up to 990 residential units (Class C2 / C3) with associated private and community garden areas and amenity spaces (including balconies / terraces), associated car parking and all other associated works including demolition of existing buildings and enabling works.
Date on fire statement	17/12/2021
Date application received	24/01/2022
Date response sent	14/02/2022

Headline response from HSE

Headline Response from HSE ('Advice to LPA' - Significant Concern)

1. Substantive response

Thank you for consulting HSE about the above application.

◀ Nature of Response Advice provided to the planning authority Nature of Response ▶

Scope of consultation

1.1 It is noted that the above consultation is in relation to a hybrid planning application. This is comprised of a full planning application relating to blocks A1 and A2 and part of block A3; and an outline planning application relating to blocks A3 to block F. As there is presently insufficient fire safety information available in relation to the outline planning application, HSE is unable to comment fully on the outline application.

1.2 Should the Local Planning Authority be minded to grant permission for the hybrid application, we strongly recommend the following:

- the planning permission is subject to a suitable condition requiring the submission of a satisfactory fire statement with any reserved matters application, and
- that HSE (Planning Gateway One) is consulted in conjunction with the Local Planning Authority's consideration of any reserved matters application.

This would ensure that the purpose of HSE being made a statutory consultee for such applications is achieved.

Means of escape and fire service access

1.3 It is noted that blocks A1, A2 and A3 have proposed storey heights of 67.18m, 57.13m and 66.35m respectively; and that these blocks will be served by single firefighting shafts constituting both the firefighting stair and escape stair.

1.4 The fire safety design guide cited in the fire statement (BS 9991) states that where a building has a storey above 50m, a design review may be needed to determine whether the fire safety provisions are appropriate. Given that the proposed buildings have storey heights exceeding 50m, the LPA should satisfy itself that a design review has been undertaken. From the documentation included with the application it is not immediately obvious that a review has been undertaken, such that it has informed the design of the scheme.

- 1.5 A design review should assess the implications of fire safety systems failure or foreseeable events. This may include the potential for fire conditions to deteriorate, thereby requiring immediate building evacuation concurrently with firefighting operations in the single stair. This matter may be the subject of later regulatory consideration which may result in changes affecting land use planning considerations.
- 1.6 It is noted that the stairs in block C1, C2 and C3 serve the covered car park; and that the stairs in each block constitute single staircases serving flats. A common staircase forming part of the only escape route from a flat should not serve a covered car park. This is necessary to ensure that fire and/or smoke from a car park fire cannot enter the staircase and compromise the escape route and firefighting operations. Resolving this issue may affect land use planning considerations such as layout and appearance of the building and car parking provision.
- 1.7 Similarly, it is unclear how firefighters would fight a fire in the covered car park adjacent to block A. Firefighters may not wish to use the rising mains in the staircases to access water, as to do so would necessitate opening the door to the stairs, and the door to the car park on fire, and wedging these open with fire hose. This would allow smoke and/or fire from a car park fire to enter the single escape route from the upper floors. However, if firefighters enter the car park from the vehicle access point, it appears that hose laying distances are too great to allow effective firefighting.
- 1.8 Likewise, the fire statement states in relation to the car park in block D: '*Fire-fighting operations block D1 and D2 will be carried out from a protected core fitted with a wet fire main (as under 18m in height). Fire-fighting operations within existing car park will be carried out from two protected cores fitted with a wet fire main*'. Again, fighting a car park fire from a protected core, would necessitate opening the doors separating the stairs from the car park and may allow the ingress of smoke into the single means of escape from upper floors. Resolving this issue may affect land use planning considerations such as layout and appearance of the building and car parking provision.
- 1.9 Section 8 of the fire statement states in relation to fire service vehicle access: '*In some instances the distance between the parking position and the firefighting shaft entrance (e.g. block E1) or distance between firefighting shaft entrance and firefighting lift door (e.g. block A1) exceeds the recommended 18m. As the firefighters are considered in place of relative safety within the protected corridor it is considered reasonable for one of the distances to be exceeded on a basis that the total distance between parking position and firefighting lift entrance is within 36m (18m + 18m)*'.

- 1.10 In a building fitted with a wet fire main there should be access for a fire appliance to within 18m of, and within sight of, a suitable entrance giving access to the wet fire main; and fire service vehicle access within sight of the inlet for the emergency replenishment of the water tank for the wet fire main. Additionally, due to firefighting safety considerations, the horizontal and vertical distances that firefighters have to travel to fight a fire, or rescue a casualty, must be limited. Resolving this issue may affect land use planning considerations such as layout and appearance of the building.
- 1.11 Ground floor plan drawings appear to show that there is no way of accessing the firefighting shaft at ground floor level in building C3, other than via the car park. Access to a firefighting shaft at the access level should be either directly from outside, or via a fire protected corridor. Resolving this issue may affect land use planning considerations such as layout and appearance of the building.

2 Supplementary information

The following points do not contribute to HSE's overall headline response and are intended only for guidance/clarification purposes. These comments identify items that may have implications for planning and could usefully be considered now.

- 2.1 Plan drawings show car parking spaces immediately adjacent to the external wall of block A3. There is insufficient information on the proposed construction of this external wall to determine whether a car fire in this location could spread into the building via flat windows on the elevation above. Further engineering analysis may be required to assess this risk of fire spread. Such analysis may affect land use planning considerations such as the appearance of the building and car parking provision.
- 2.2 Plan drawings show windows of adjacent flats in close proximity and at right angles to each other. This proximity and angle may allow fire spread between flats. The fire safety design guide cited in the fire statement (BS 9991) is currently under review and a draft of a revised version has been published. The draft version of the standard contains provisions relating to the angle and proximity of adjacent flat windows. Whilst this is a draft version of the design standard, and cannot presently be relied on, it may be the extant standard at time of construction. Consequently, further consideration of this issue during later regulatory consideration may result in changes affecting land use planning considerations such the appearance of the building.
- 2.3 Plan drawings indicate that roof levels will include the provision of bio-diverse roofs and solar panels. There is insufficient information provided to assess whether the fire risks posed by green roofs and solar panels, and the interaction between the two, has been considered.

14/02/2022



Signed by: Jon Bryan

This substantive response provides fire safety advice to the local planning authority. It's based on the information provided as it relates to land use planning.

This response does not provide advice on any of the following:

- **matters that are or will be subject to Building Regulations regardless of whether such matters have been provided as part of the application**
- **matters related to planning applications around major hazard sites, licensed explosive sites and pipelines**
- **applications for hazardous substances consent**
- **London Plan policy compliance**

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Council

25th July 2022

Questions from Members of the Council for Oral Reply

1. From Councillor Sam Webber to the Portfolio Holder for Resources, Commissioning and Contract Management (answered by the Leader of the Council in the Portfolio Holder's absence)

Now that the problematic microphones in the Council Chamber have been replaced, will the Portfolio Holder now move ahead with making recordings of Council meetings available online to residents where they are already welcome to attend in person in the gallery. If not, why not and if not now when?

Reply:

I understand that General Purposes and Licensing Committee has called for a report on the options for recording and live-streaming of all meetings at its next meeting in September, and I suggest that we follow their recommendation on this issue after that.

2. From Councillor Will Connolly to the Portfolio Holder for Sustainability, Green Services and Open Spaces

Will the Portfolio Holder now urgently consider installing air quality monitors at all schools so that we can measure the effectiveness of current measures to improve air quality, measure the performance of new measures introduced and share good practice between schools.

Reply:

I am pleased to confirm that all Bromley schools meet the legal limits set by the Government and that we can measure the effectiveness of our air quality measures. We gather the data by our monitors and other local authorities' monitors. This allows us to provide street-level data for air quality and crucially what it is that our schools and we can do if there is a problem.

There is an organisation called the London Schools Pollution Helpdesk which is open to any school or nursery to join. They run a forum which is designed to share best practice ideas and discuss any issues and concerns. I would encourage any school or nursery to join that Forum and please do come and talk to our excellent Environmental Protection Team if there is any particular school that has any issues or concerns.

Supplementary Question:

I would welcome a meeting with the Portfolio Holder to look into some of this data. As you will appreciate some organisations do use different data, such as the WHO and other information that we may be party to. Is the Portfolio Holder aware that the measurement of one air quality monitor is not good enough to understand air pollution in the borough, appreciating what the Portfolio Holder says about using data from other local authorities, but pollution will differ on a street by street basis. I did reach out to an Asthma and Lung UK charity this week and they have said it is really not good enough. Is the Portfolio Holder aware that one air quality monitor is not good enough?

Reply:

We have thirty five. I appreciate that they measure different types of pollutants, but my understanding is that our air quality monitors do measure nitrogen dioxide and particulate matter which are of most concern. But in terms of the WHO Guidelines I completely appreciate that they are very ambitious. The document says that, currently, 97% of major cities across the world do not meet those guidelines. Of course it is an ambition of this Council and around the world and I welcome a bilateral meeting with you and your organisation. As we know, this is a big issue and I am keen to tackle it.

Additional Supplementary Question from Cllr Simon Jeal:

You mentioned that there are thirty-five monitors that the borough has in place. How many of those are located within school grounds or immediately outside them?

Reply:

I do not have the data on me but I am very happy to write to you and let you know.

Additional Supplementary Question from Cllr Julie Ireland:

Can I ask the Portfolio Holder to clarify? My understanding is that you have one live monitor based at Harwood Road in Bromley which measures particulate matter and the others are all diffusion tubes, which do not give you live or hourly data – it gives you an average over the space of a month. These diffusion tubes are usually derided as being of little interest. Can you clarify that of the ones that you have spoken about, only one gives live data, the others are averages over a monthly period based on diffusion tube readings?

Reply:

It is my understanding that the information we collect from all of our monitors gives us really important data on nitrogen dioxide and particulate matter. I am happy to follow up with an email to clarify. This is something that we will be discussing in further detail at the Committee in September.

Additional Supplementary Question from Cllr Michael Tickner:

Is there anything preventing our academy schools installing their own air monitors?

Reply:

My understanding is no. I do believe there are grants available for schools wishing to purchase but that is maybe something they can follow up with the forum and ourselves.

3. From Cllr Kevin Kennedy-Brooks to the Portfolio Holder for Adult Care and Health

Will the Portfolio Holder agree that a large number of Bromley's carers are relatives?

Reply:

Yes I do agree.

Supplementary Question:

I have had a few accounts of relatives who care for elderly people and those elderly people either sadly pass or they do go into homecare. The relatives that were carers have some severe issues in facing eviction. Can you please outline what the Council can provide for those carers in liaison with housing associations to make sure that there is a period of grace?

Reply:

I think I will need to discuss this with Councillor Bear from the point of view of eviction queries, but if you have any specific issues then I would be happy to take those forward on behalf of you and your residents.

4. From Cllr Igoe to the Portfolio Holder for Renewal, Recreation and Housing (answered by the Leader of the Council in the Portfolio Holder's absence)

On 9 November 2021 the Portfolio Holder answered my query on the amount remaining within the Welfare Fund - "balance as at 1 April 2020 of £639k. During 2020/21, £147k was drawn down, leaving a balance of £492k as at 31 March 2021." Could you please tell me how many funds have been used since that date to assist Bromley families and how much remains?

Reply:

£160k, leaving a balance of £332k.

Supplementary Question:

I believe the Welfare Fund is also providing articles for Ukrainian families which is wonderful. We have in Plaistow ward the Z Pods where twenty-five homeless families will move in. I went to two of them. They are carpeted, the officers are looking into curtains, but they had no fridges. Would it be alright to meet with officers to discuss those families, if they needed a fridge or a bed and they were not bringing them with them, if we could help them to get them from the Welfare Fund?

Reply:

That is precisely what the fund is for, so, yes, most definitely.

5. From Cllr Kathy Bance MBE to the Portfolio Holder for Public Protection and Enforcement

Sutton Council have achieved a White Ribbon Accreditation in its commitment to reduce VAWG and this was raised as a key issue at the VAWG Roundtable event you attended in February. Does Bromley Council have the same aspirations to achieve a White Ribbon Accreditation?

Reply:

There are no plans to sign up for White Ribbon accreditation as it is preferred that available resources are used on direct service delivery locally. This includes looking at ways to engage and raise awareness around the Safer Bromley Violence Against Women & Girls priority.

Supplementary Question:

Did you make that comment at that meeting that you were at, that Bromley was not going to take up the accreditation?

Reply:

No, that was not how the discussion went on the day. There was a presentation from Sutton and it was a situation where we watched a presentation then there was a general discussion afterwards. At that point it was a case of looking in to it – as you know that was quite some time ago and since then we have looked into it and that is the case.

Additional Supplementary Question from Cllr Julie Ireland:

Is the Portfolio Holder aware that all the Liberal Democrat Councils in London have this accreditation, underlining how important we feel it is?

Reply:

Yes, indeed, it was Cllr Ruth Dombey who led on that who I know quite well. That was why Sutton was involved in that – it was a presentation that they made to the Violence Against Women and Girls Round Table.

6. From Cllr Tony McPartlan to the Portfolio Holder for Renewal, Recreation and Housing (answered by the Leader of the Council in the Portfolio Holder's absence)

I note from recent Audit Sub-Committee minutes that '...audit had made the observation that the information provided on the Council website was inadequate for people to properly navigate and find solutions to their various [housing] needs.'

When can we expect this information to be online so that some of our most vulnerable residents have access to the information that they desperately need?

Reply:

I am advised that a full review and refresh of all information held in relation to housing on the website was scheduled for March 2022. However, the timescales have had to be revised due to the upgrading of the Council website, meaning that the bulk of all outstanding work will have been completed by September, the balance in Q3 2022.

Supplementary Question:

Has the Council ever done any user testing for Housing Service users to make sure that they can access information in the right way, and if not is it something that they would consider doing?

Reply:

I don't know the answer to that, but if Cllr McPartlan can pass that question to Cllr Bear outside the meeting I am sure that she can get back to him.

7. From Cllr Josh King to the Portfolio Holder for Resources, Commissioning and Contracts Management

Can the Portfolio Holder give a list of open posts across the Council broken down by department/job function and indicate those posts which have been open for (a) 3 months and (b) 6 months?

Reply:

There are currently 91 vacant posts (equivalent to 72.13 full time equivalents (FTE).)

Of these, 10 have been vacant for less than 3 months and 11 have been vacant between 3-6 months.

12 are qualified Social Work roles but there are also 20 other professional or technical roles such as Lawyers, Engineers, Surveyors, Environmental Health Officers and Educational Psychologists which are known hard to fill roles

Section	No. of Vacancies
Adult Services	27
Chief Executive's Office	1
Children's Services	23
Corporate Services	3
Environment & Public Protection	18
Finance	2

Housing, Planning & Regeneration	15
Public Health	2
Total	91

Supplementary Question:

Pay is one important factor to help the Council's vacancies seem attractive, but does the Portfolio Holder accept that the lean staffing model, and possible subsequent career progression, can also impact, possibly in a negative way, the attractiveness of positions with the Council?

Reply:

I think the fact that Bromley has opted out of national pay and conditions and can therefore choose to decide how we remunerate officer ourselves more than makes up for the demands we make on officers through the lean model which saves money for the taxpayer.

Additional Supplementary Question from Cllr Simon Jeal:

Can he confirm that, based on the figures he has just provided, there are currently seventy vacancies in the Council that have been vacant for more than six months?

Reply:

That is correct, but the Council workforce is well over a thousand staff, which needs to be born in mind as well.

Additional Supplementary Question from Cllr Colin Hitchins:

Would the Portfolio Holder agree that if the Mayor of London puts through his proposals for ULEZ we will find it even harder to get employees to fill those posts?

Reply:

I agree entirely – the needs of outer London boroughs are not well understood by this inner London Mayor.

Additional Supplementary Question from Cllr Kevin Kennedy-Brooks:

Would it be possible to provide a comparison with local boroughs?

Reply:

I am sorry, you will need to submit that request in writing please.

(Cllr Diane Smith added that the Director of Adult Services had informed her today that seven newly qualified social workers had been recruited.)

8. From Cllr Rebecca Wiffen to the Portfolio Holder for Children, Education and Families (answered by the Leader of the Council in the Portfolio Holder's absence)

Following the last minute changes to the SEND transport reports and policies issued on 15th June this year, what policy vetting procedures have you now put in place to ensure that policies are not based on incorrect or out-of-date information?

Reply:

It is the collective responsibility of all Councillors to ensure that policies are not based on incorrect or out of date information, and it is particularly important that this scrutiny function is carried out by the PDS Committees and the Executive.

To that end, and with regards to the SEND Transport report, credit and recognition is due to the CEF PDS Chairman, Cllr Kira Gabbert, who identified officers' misinterpretation of what they describe as "the somewhat vague references to TfL transport charging" on the TfL website, suggesting that the scrutiny function is working well and as it should be locally.

9. From Cllr Chris Price to the Portfolio Holder for Children, Education and Families (answered by the Leader of the Council in the Portfolio Holder's absence)

Hard working parents in Bromley, earning just above the income level to be able to access free school meals and other benefits, are reporting that some Academies are putting up prices on breakfast and after-school clubs, for some families with more than one child by over £700 a year (a 20% rise). Many families do not have the flexibility or savings to meet this demand.

In a time of the worst cost of living crisis since the second world war, will Bromley Council commit to step in to support families affected by these increased charges in these extraordinary times?

Reply:

As the questioner is I'm sure aware, academy schools are autonomous from the Council's control in this regard; the Council does not hold the power to direct an academy to set particular charges or to not cover its costs.

However, at Cllr Lymer's request, Council Officers have already raised this matter at the Schools Forum, where it was noted that many academies have hardship policies to support disadvantaged families and that should be Members' first advice, should any of their residents contact them on the subject.

Supplementary Question:

A lot of the families that we are talking about are not in hardship, they are just above that line. I'm really asking for advice – what would you say to families who are struggling at the moment in this cost of living crisis when the costs are going up

within our borough and our borough will not support. What advice can I give to families? They pay their Council Tax, so it is their money.

Reply:

What I would suggest any councillor of any party tells their residents if they are in hardship or struggling is to seek advice at the earliest possible stage, contact the Council, which provides an excellent service in terms of financial recommendations and training, and generally make their problems known early to stave off debt and problems further down the line.

Additional Supplementary Question from Cllr

Would the Leader be able to assure me that help that has been provided for some of these families? Some of these children are so poor that they only meal that they can rely on being regularly there is the meal they have at school, key stage 1 kids. What support is the Council able to support them with over the school holidays which are an increasing pressure?

Reply:

My advice is that there is significant funding being placed with the schools for precisely that purpose over the school holidays. I would suggest contacting officers in Education, and if I recall, there was a recent report to the Executive stating that this money was coming into the Council from central government.

10. From Cllr Simon Jeal to the Portfolio Holder for Sustainability, Green Services and Open Spaces

Bromley Council owns around 70 Childrens' playgrounds across the Borough, how many of these playgrounds have equipment that is designed and accessible for children with disabilities in them?

Reply:

There are 19 playgrounds that contain equipment that is designed and accessible for children with disabilities. The data is currently partial, so what we have asked is for the next inspections by our Grounds Maintenance contractor Idverde to look to implement a category to better capture this data during safety inspections. There is already a safety inspection, so we are asking them to add that on. Once this is finished the full list can be provided. This is happening in October, so we should have the full list then.

Supplementary Question:

Once this additional data is captured, do you expect that number to increase significantly, and if it doesn't do you share my disappointment at the low number of accessible equipment in our playgrounds, and what action will you take over the next four years to address this inequality, if indeed it is as bad as 19 out of 70?

Reply:

I do have a sense that it is under-reported. I know that at my own playground there are a couple of pieces of equipment that were not recorded. Councillor Lymer,

Portfolio Holder for Children, Education and Families has already talked to me about this, because we do want to encourage more playgrounds that have equipment for children with disabilities, and we do want to be inclusive. What I would say to Members who are interested in applying for the Jubilee grant is that we will take a special interest in pushing those forward that do have that in their bid.

Additional Supplementary Question from Cllr Tony McPartlan:

As welcome as the £1m investment is, is the Portfolio Holder aware that a maximum bid of £20k is likely to buy you roughly half a piece of accessible play equipment? Is that money really going to make our parks and play spaces more accessible?

Reply:

I don't recognise that figure. If you do have data please share that with me. This fund can be supplemented with other organisations' funding. I know that Big Lottery funding was obtained in your patch - they did get a whole bunch of funding including from the Council, and I know that there is some great equipment there in terms of accessibility.

Additional Supplementary Question from Cllr Alisa Igoe:

There isn't any in the park that you are referring to.

Reply:

I stand corrected.

11. From Cllr Jeremy Adams to the Portfolio Holder for Resources, Commissioning and Contract Management

With regard to delays in signing off Bromley Council's accounts, auditor EY has commented: "The Council's finance team has been run on lean principles, with limited capacity to support the reporting process". Can the Portfolio Holder please confirm numbers of staff (FTE) employed to support the reporting process at year end 2019, 2020, 2021 and today?

Reply:

In practice most staff within finance are involved in the annual financial close. The FTEs in the central 'Technical & Control Team' which co-ordinates and oversees the annual financial close consisted of 5fte in 2018/19 and 2019/20 which is lean compared to other authorities. Since the appointment of the Head of Corporate Finance and Accounting in 2020 the workload was reviewed and resulted initially in a new graduate trainee post being created and subsequently a further post specifically recognising external audit issues approved as part of the 2022/23 Budget which is currently being recruited. The team now consists of 7 FTEs, which is a 40% equivalent from 2019/20..

Supplementary Question:

It is heartening that there has been an increase from 5 to 7 FTEs. I wanted to highlight a couple of comments that Ernst and Young, the auditor, made. They talk about significant weaknesses in arrangements in 2020/21, and the support processes in place around the year-end processes, and they also talked about the significant time incurred leading to additional fees. Can the Portfolio Holder confirm how much those additional fees were?

Reply:

I cannot confirm the fees at the present time. I will ask officers from the Finance department to find out the figure, and it will be shared with you.

Additional supplementary question from Cllr Michael Tickner:

Can the Portfolio Holder confirm that these accounting delays referred to in the question are not related to staffing shortages but to a disproportionate challenge to the accounts by one individual?

Reply:

You are quite right – a disproportionate share of the delays is caused by the objections, and this year we have managed to fully sign-off two years of accounts within the last few months, which is a great achievement, and now we hope to sign off more within the rest of this financial year.

Additional supplementary question from Cllr Simon Jeal:

Could the Portfolio Holder also possibly confirm that the Council's auditors did write us a letter in which they explicitly referenced the lack of resource in addressing their concerns as one of the things the Council needed to improve on?

Reply:

I am not quite sure of the purpose of asking a question that you already know the answer to, particularly as you have asked something similar within the last six months.

12. From Cllr Simon Fawthrop to the Portfolio Holder for Resources, Commissioning and Contract Management

How much is the cost of holding an additional meeting of a PDS committee in the Council Chamber including the notional value to hire the Council Chamber, postering (including web page updates), heating, lighting, sound systems, printing and distribution of agendas, staff preparation and attendance (including security)?

Reply:

The very approximate cost would be around £640. This includes the items mentioned in your question, and assumes a two hour meeting with five officers attending and three attendants on duty.

The breakdown is as follows -

Room Hire (including lighting/heating)	£100
PA & audio equipment	£60
Meeting Room Preparation	£6.50
Refreshments	£30
Agenda Printing	£15
Agenda Postage (including preparation)	£45
Agenda Preparation & Report Writing	£75
Attendants	£60
Service & DS Officers Attending	£250

Depending on the reports required that line item is probably a conservative estimate.

Supplementary Question:

Would the Portfolio Holder confirm that when an item has already been thoroughly scrutinised at a PDS Committee this is a waste of taxpayer's money?

Reply:

I wholeheartedly concur – it is a waste of time and money.

Additional supplementary question from Cllr Kathy Bance:

Does that mean that, from now on, nobody is allowed to call anything in for scrutiny reasons?

13. From Cllr Chloe-Jane Ross to the Leader of the Council

Only two Councils in England and Wales are not members of the Local Government Association (LGA) and Bromley is one of them. The LGA provides a range of benefits to Councillors including training, support for political groups, and shared working across issues Councils wish to influence. Can the Council reconsider, by canvassing Councillors individually, its membership of the Local Government Association?

Reply:

I'm afraid not. It would divert £ 48,000 from essential services to Bromley residents elsewhere.

Supplementary Question:

Does the Leader think that there might be value with banding together with other Councils to fight for a better settlement from central government, especially noting that we have the second lowest in London?

Reply:

The whole of London, inner and outer, inclusive, has been fighting for fairer funding on a cross-party level, predominantly through London Councils, for at least the past five years, and probably longer. There is a great worry that the impending fairer funding change, if and when it eventually happens, is going to see money diverted away from London under the levelling up programme and out to the shires in a

reversal of what happened the last time local government funding was adjusted under the Brown/Blair years, when they pushed money into the inner cities, and Councils in the north. Yes, it is happening, it should happen and it should continue to happen, as London as a whole is disadvantaged, and outer London in particular.

Additional Supplementary Question from Cllr Simon Fawthrop:

Is the Leader aware that the LGA employs 65 people at over £75k per annum as part of its costs? As well as you have already indicated that £48k is an unacceptable cost to this authority, does he agree that this sounds like another Liberal Democrat cost increase for this Council?

Reply:

Any costs that we add will put budget pressures on us when we come to set the budget next February, if I could leave that though hanging across the chamber. I see several potential budget increases here today around some of the questions and motions. The very first thing you must do is to balance the books, before you do anything nice you want to. We must balance the books, and if we don't do that this is what happens in places like Croydon and other places. The ball is in our court and we need to play it cleverly and intelligently.

14. From Cllr Adam Grant to the Portfolio Holder for Transport, Highways and Road Safety (answered by the Leader of the Council in the Portfolio Holder's absence)

What is the current position regarding Local Implementation Plan (LIP) funding from TfL for 2022-23?

Reply:

There is currently just £236k allocated to Bromley for 2022/23, although Bromley keenly awaits further announcements.

The bid to TfL from Bromley was for £2.7M.

Supplementary Question:

What is the position regarding the Local Implementation Funding from TfL for 2022/23?

Reply:

The current situation is that nobody knows, we are waiting to see the final settlement, the final agreement, between TfL, the Mayor and Government. Let's not get into a debate arguing about who is responsible, as we would be here all night, but that is where we are. It is uncertain, and will remain uncertain until the TfL budget is settled.

15. From Cllr Colin Hitchins to the Portfolio Holder for Transport, Highways and Road Safety (answered by the Leader of the Council in the Portfolio Holder's absence)

What proposals are there to improve road safety outside Lessons' Primary School?

Reply:

Cllr Bennett has asked me to advise all that he met with the ward councillors, at Cllr Hitchins request at Leeson' Primary school, on Wednesday June 20th, 2022.

Ward councillors have agreed to talk to the school, in the first instance, to look at their travel plan, and to see whether there are any measures which might help to improve road safety outside the school..

Additional Supplementary Question from Cllr Chris Price:

Would you be willing to commit the Council, when we look at this issue in St Paul's Cray, to having a child safety first approach to the crossings outside Leeson's Hill?

Reply:

We already have a child safety first policy outside every school in the borough.

(At this point the time allowed for questions expired – the remaining questions received written replies.)

16. From Cllr Kevin Kennedy-Brooks to the Chairman of Development Control Committee

When being consulted on large Planning applications in industrial or trading areas how do Planning officers assess the economic and employment affect?

Reply:

Planning applications are assessed against relevant economic and employment policies in the development plan which is produced with a detailed evidence base. Economic and employment benefits are usually given positive weight in assessing planning proposals.

17. From Cllr Chloe-Jane Ross to the Chairman of General Purposes and Licensing Committee

All voters should be able to cast their votes at polling stations if they wish. We have heard of disabled residents having difficulty accessing polling stations in the recent local election. Please will the portfolio holder confirm which polling stations were not step free or required temporary step free solutions (such as ramps), how voters requiring step free assistance could request it on arrival to the polling station, and how many complaints were received about polling station inaccessibility for the May 22 election.

Reply:

Yes, all voters should be able to cast their vote. Every polling station must have arrangements to enable disabled voters to cast their vote. Identifying suitable polling stations is a challenge. Nevertheless, all our polling stations are made accessible and compliant. At the recent Local Election in May 2022 all our polling stations had the necessary arrangements, either an access ramp or a threshold ramp or both. At

one of the polling stations there was a last minute change notified to us by the school and assistance was provided on request or as needed.

(A list of which polling stations had what arrangements is set out below.)

In terms of complaints, six complaints were received regarding the accessibility of four of our polling stations. Five of these complaints were at the polling stations and were logged and one was by email.

Polling Station	Ramp provided/Arrangement
<i>23rd Bromley St Augustine Scout Hall</i>	<i>Access Ramp</i>
<i>All Saints (Orpington) Church Hall</i>	<i>Access Ramp/Threshold Ramp</i>
<i>Beckenham Social Club</i>	<i>Access Ramp</i>
<i>Beckenham United Reformed Church Hall</i>	<i>Threshold Ramp</i>
<i>Biggin Hill Children & Family Centre</i>	<i>Access Ramp</i>
<i>Blenheim Children & Family Centre</i>	<i>Access Ramp</i>
<i>Burnt Ash Children & Family Centre</i>	<i>Access Ramp/Threshold Ramp</i>
<i>Castlecombe Children & Family Centre</i>	<i>Access Ramp/Threshold Ramp</i>
<i>Cherry Lodge Golf Club</i>	<i>Access Ramp</i>
<i>Chislehurst Methodist Church Hall</i>	<i>Access Ramp</i>
<i>Coney Hill Baptist Church</i>	<i>Access Ramp</i>
<i>Downe Village Hall</i>	<i>Access Ramp/Threshold Ramp</i>
<i>Elmstead Baptist Church</i>	<i>Access Ramp</i>
<i>Kenilworth Church Hall</i>	<i>Access Ramp</i>
<i>Kings Church (Kings Hall)</i>	<i>Access Ramp</i>
<i>Link Youth Centre</i>	<i>Access Ramp</i>
<i>Mottingham Community Centre</i>	<i>Access Ramp</i>
<i>Neighbourhood Church Beckenham</i>	<i>Access Ramp/Threshold Ramp</i>
<i>Orpington Sea Cadets (TS Whirlwind)</i>	<i>Threshold Ramp</i>
<i>Pratts Bottom Village Hall</i>	<i>Access Ramp</i>
<i>Red Hill Primary School</i>	<i>Access Ramp</i>
<i>Southborough Lane Baptist Church</i>	<i>Access Ramp</i>
<i>St Andrew's Bromley Church Hall</i>	<i>Threshold Ramp</i>
<i>St George's Bickley Church Hall</i>	<i>Access Ramp</i>

<i>St Mary's Bromley Church (Warwick Hall)</i>	<i>Access Ramp/Threshold Ramp</i>
<i>St Nicholas Orpington Church Hall</i>	<i>Access Ramp</i>
<i>St Peter & St. Paul Catholic Primary Academy</i>	<i>Access Ramp</i>
<i>Stewart Fleming Primary School</i>	<i>Access Ramp</i>
<i>Sydenham Lawn Tennis Club</i>	<i>Access Ramp</i>
<i>The Cricketers Public House</i>	<i>Access Ramp</i>
<i>The Sydney Arms</i>	<i>Access Ramp</i>
<i>Stewart Fleming Primary School</i>	<i>Late notice change from school advising we could not use disabled entrance as would mean closing the school - telephone number of Presiding Officer posted at entrance and assistance given on request - to be resolved at future elections</i>

18. From Cllr Adam Grant to the Portfolio Holder for Transport, Highways and Road Safety

What restrictions are placed by TfL on the Council in respect of Local Implementation Plan (LIP) funding?

Reply:

The recent allocations made to Bromley have been scheme-specific, although there is scope to approach TfL with change requests.

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Council

25th July 2022

Questions from Members of the Council for Written Reply

1. From Cllr Mark Smith to the Portfolio Holder for Sustainability, Green Services and Open Spaces

In response to a freedom of information request regarding public access along The Drive to Scadbury Park in June 2018, the following information was provided to the FOI requestor:

The route described as The Drive is mainly located within Scadbury Park, although a short length leading to The Lodge off St Pauls Cray Road crosses part of Chislehurst Common where there is a gate.

Any question regarding the Common should be addressed to the Conservators of the Common.

Within the park users of The Drive do not do so by right but as invitees of the Council, as the land owner and signage erected on site stating 'Private Property no Public Vehicular or Pedestrian Right of Way' is Local Authority signage explaining this.

Accordingly the accessibility of public access may be withdrawn at any time, there being gates in place to shut the route, without notice, if necessary.

The exception to this is on the northern access from Perry Street, along Footpath 44, which passes over the route known as The Drive for approximately 150 metres before diverting into Scadbury Park.

Any signage erected within Scadbury Park should only be erected by the Council, or by others with its consent as land owner, and would have the right to remove any unauthorised signs on its land.

Can you confirm that the information provided in 2018 is still operative? If it isn't, can you confirm what has changed?

Reply:

Yes, the information provided in 2018 is still operative.

The made track known as 'The Drive' that cuts across the centre of Scadbury Park is not a public highway, it is unadopted, and the Council has the right to determine who is entitled to its legitimate use, such as residents, essential services, users of the stables and users of the Tree Centre.

2. From Cllr Mark Smith to the Portfolio Holder for Resources, Commissioning and Contract Management

What is the current population of the borough? How many individual households are there in the borough?

Reply:

According to 2021 Census data, the population of the borough is 330,000. There are 135,800 households with at least one usual resident.

3. From Cllr Sam Webber to the Portfolio Holder for Renewal, Recreation and Housing

Following the Council's response to a written question in February, is there any update on applying for an English Heritage blue plaque to mark David Bowie's connection to the borough?

106 Canon Road or 4 Plaistow Grove were his childhood homes before he moved to Beckenham so might be suitable, or Ravens Wood School which he attended.

Reply:

The Council has made an enquiry with English Heritage. They have advised that Blue Plaques are only considered for people who have been dead for at least 20 years.

4. From Cllr Sam Webber to the Portfolio Holder for Transport, Highways and Road Safety

Following reports of serious traffic issues and inconvenience for residents at drop off and pick up times at the Bromley Beacon Academy (on Old Homesdale Road), would the Portfolio Holder and Officers consider reviewing the decision not to apply zig zag lines outside the school or consider adopting other measures here to reduce traffic bottlenecks?

Reply:

The Council will of course investigate any requests made by the school for changes in the parking controls at this location.

5. From Cllr Mike Jack to the Portfolio Holder for Sustainability, Green Services and Open Spaces

How many air quality monitors are there in the borough, and where are they sited?

Reply:

There are 32 locations in the Borough where NO₂ is measured using diffusion tubes and 1 Air Quality Monitoring Station at Harwood Avenue for NO₂, PM₁₀ and PM_{2.5}. The 32 are located at Homesdale Road, Chatterton Road, Hastings Road, College

Road, London Road, Shortlands Road, Beckenham Road, Worsley Bridge Road, Links Way, Elmers End Road, Anerley Road, Anerley Hill, Hamlet Road, Belvedere Road, Glebe Way, Ridgeway, Crofton Road, Towncourt Lane, High Street Orpington, Cardingham Road, Farnborough Hill, Poverest Road, High Street St Marys Cray, Midfield Way, Ashfield Lane, Park Road, Harwood Avenue, Widmore Road, Blackbrook Lane, Old Hill, Mottingham Road, Page Heath Lane.

There are 3 Nodes as part of the Breathe London Project monitoring NO2 and PM2.5 at the PRUH, Beckenham Beacon and Poverest.

This monitoring is reported in the Annual Status Report (ASR). The ASR for the year 2021 has been drafted and will be presented for information to ECS PDS in September and uploaded to Bromley's website.

Bromley is also a member of the London Air Quality Network which produces the Local Atmospheric Emissions Inventory using monitored air quality across London as well as other data sets to predict pollution levels.

6. From Cllr Alisa Igoe to the Portfolio Holder for Transport, Highways and Road Safety

Between its junction with Plaistow roundabout and 75 Burnt Ash Lane, three front garden walls have been recently demolished on the A2212 by drivers who have mounted the pavement. HGV vehicles regularly park on the footway. Why are there no double yellow lines, could these please be installed, as well as physical infrastructure to slow the excessive speeding?

Reply:

I am happy to ask for both these requests to be investigated, but please bear in mind that parked vehicles are very often a good way of reducing traffic speeds.

7. From Cllr McPartlan to the Portfolio Holder for Sustainability, Green Services and Open Spaces

I welcome the overdue investment in our parks in the form of the £1million Jubilee fund. There is a limit of £40,000 for each ward. Times that by 22 wards and you have a total of £880,000 that could be given out to our parks. What will happen to the other £120,000?

Reply:

This amount was held back to ensure that additional resources could be diverted to support the projects' delivery if needed. If resources are sufficient, then we will consider additional funding for projects that have been approved. We will ensure that any funding left over is evenly allocated across the borough.

8. From Cllr Price to the Portfolio Holder for Resources, Commissioning and Contracts Management

Can you tell me the last full year for which the Council have records for claimants being taken to court for non-payment of council tax, where council tax has been reduced to 25% due to low income into the household under the Council Tax Support scheme? And within that year:

Number of Claimants who received court summons for non-payment?

Number of claimants charged costs?

Number of claimants referred to bailiffs?

Reply:

The figures provided are in respect of the financial year 2021/22. They include all recipients of council tax support, not just those in receipt of the maximum 75%. Please note that court costs are automatically charged when a summons is issued.

Number of claimants who received court summons for non-payment

4,321

Number of claimants charged costs

4,321

Number of claimants referred to bailiffs

2,048

9. From Cllr Kathy Bance MBE to the Portfolio Holder for Sustainability, Green Services and Open Spaces

Despite being advised at February's full Council meeting that there are no plans to withdraw the cheque-paying options for services, I note that the Green Garden Waste Renewal letters state – Payment by cheque is not available. Can you please advise why this decision has been made?

This raises problems for our elderly and disabled people so what other services will be affected by this change?

Reply:

I note that the answer previously given was in relation to Adult Care services and provided by the finance lead for that section, and not Environment per se.

Cheque payments for GGW were stopped in March 2020, primarily due to the restrictions introduced due to the pandemic, but also in advance of the introduction of a bespoke Direct Debit payment system created specifically for the GGW collection service.

The DD payment platform went live last July 2020 as a convenient streamline payment solution for our 41,000 GGW customers, and particularly with our elderly subscribers in mind, as it ensures yearly subscriptions are taken without the inconvenience of sending a cheque, paying by cash at the Civic Centre main reception or paying online.

Customers wishing to pay by DD can call our Customer Service Centre on 0300 303 8658 with no need to navigate an online system, and a continuous yearly subscription can be set up. Moving to a DD payment solution also ensures the administration costs of the service are controlled, reconciliations better recorded, and audit assurances met.

Prior to the DD solution being implemented, our cheque payment rate was only 1.42%, and to ensure the efficiencies of DD system are realised, we state no cheques on our renewal reminder notices that are sent to customers.

That said, we do still process cheques via the cashiers when customers prefer, with 8 cheques being administered in the period 21/22.

If you would like us to look at any specific concerns your residents may have, please direct them to Jim Cowan, Head of Neighbourhood Management.

10. From Cllr Simon Jeal to the Portfolio Holder for Public Protection and Enforcement

For each of the last four years, could you please detail:

1. The number of residents who contacted the Council to request pest control services, report infestations or similar pest problems,
2. The type of pest,
3. What assistance or action was provided in response, and
4. The cost (if any) charged to the resident for the service.

Reply:

1. Complaints Received by the Council -

2021/22 - 313

2020/21 - 463

2019/20 - 291

2018/19 - 430

Residents who procured treatments via SDK -

2021/22 - 729

2020/21 - 957

2019/20 - 837

2018/19 - 1162

2. Pest Type data is not recorded by the Council.
3. Officers investigate complaints of infestations where certain activities being carried out by another resident or business may be the cause of infestation. If resolution cannot be obtained, then enforcement action would be taken under the Prevention of Damage by Pests Act 1949.
4. The current schedule of rates can be found on the Council website here, [Pest control services – London Borough of Bromley](#)

11. From Cllr Rebecca Wiffen to the Portfolio Holder for Resources, Commissioning and Contracts Management

Bromley has been named and shamed by the Living Wage Foundation for being in the worst 25 local authorities for paying employees below the Living Wage. What action is Bromley taking to correct this?

Reply:

The lowest hourly rate in Bromley Council at £11.06 is higher than both the national living wage, minimum wage and the London living wage at £9.50 and £11.05 respectively. The national living wage is a statutory requirement but the London living wage is only voluntary.

The Council having adopted a localised pay arrangement in November 2012 whereby the annual pay award is determined locally by democratically elected councillors is able to recruit, retain and reward staff and exceptional performers and hard to fill posts in particular. The Council remains competitive in the labour markets and the local arrangement allows the Council to flex its pay arrangements at any time without the constraints associated with the national and regional collective bargaining arrangements.

12. From Cllr Will Rowlands to the Portfolio Holder for Transport, Highways and Road Safety

How much has been bid by Bromley under the Local Implementation Plan (LIP) funding from TfL in each of the last five financial years and how much has been received?

Reply:

Prior to May 2020, Bromley was allocated an amount of LIP funding calculated by a formula that was not dependent upon a bid. The LIP amount had been £2.176M each year for a number of years, with some additional amounts for special projects such as the Shortlands Liveable Neighbourhood. Since May 2020 normal LIP

funding has not been available, although some related funding streams have been available, such as from the London Streetspace Plan.

A bid was submitted for LIP funding for 2022/23 amounting to £2.7M, but to date only £236k has been allocated to Bromley this year. In 2021/22 boroughs were limited in what they could apply for and Bromley submitted an application for £1.385M and was allocated £902k, plus some additional funding for cycle training.

(Some information is not currently accessible as the Portal is unavailable.)

13. From Cllr Simon Fawthrop to the Portfolio Holder for Adult Care and Health

How many people have in the Borough of Bromley have a death certificate with the primary cause of death being cardio respiratory failure due to air pollution between 2010 and 2022? Can this please be split out by year and by ward where known please?

Reply:

I have been advised by the Director of Public Health that there is no code (ICD-10 code) for cardio-respiratory failure due to air pollution and therefore this information is not available within the mortality statistics

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