

LONDON BOROUGH OF BROMLEY

MINUTES

**of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 16 October 2023**

Present:

**The Worshipful the Mayor
Councillor Mike Botting**

**The Deputy Mayor
Councillor Keith Onslow**

Councillors

Jeremy Adams	Christine Harris	Chloe-Jane Ross
Jonathan Andrews	Colin Hitchins	Shaun Slator
Jessica Arnold	Alisa Igoe	Colin Smith
Kathy Bance MBE	Julie Ireland	Diane Smith
Yvonne Bear	Mike Jack	Mark Smith
Nicholas Bennett J.P.	Simon Jeal	Alison Stammers
Kim Botting FRSA	David Jefferys	Melanie Stevens
Mark Brock	Charles Joel	Harry Stranger
David Cartwright QFSM	Kevin Kennedy-Brooks	Ryan Thomson
Graeme Casey	Josh King	Michael Tickner
Will Connolly	Kate Lymer	Pauline Tunnicliffe
Robert Evans	Tony Owen	Thomas Turrell
Kira Gabbert	Christopher Marlow	Sam Webber
Adam Jude Grant	Ruth McGregor	Rebecca Wiffen
Hannah Gray	Tony McPartlan	
Dr Sunil Gupta FRCP	Angela Page	
FRCPPath	Chris Price	

Before the meeting started the Mayor led Members in a period of silence in memory of Honorary Freeman Richard Lane OBE FCA and Councillor Andrew Lee, who had died since the last meeting of the Council.

The meeting was opened with prayers.

In the Chair
The Mayor
Councillor Mike Botting

23 Apologies for absence

Apologies for absence were received from Councillors Felicity Bainbridge, Aisha Cuthbert, Sophie Dunbar, Simon Fawthrop, Jonathan Laidlaw, Alexa Michael and Will Rowlands. Apologies for lateness were received from Cllr Ryan Thomson.

Councillors Fawthrop, Michael and Rowlands joined the meeting online.

24 Declarations of Interest

There were no declarations of interest.

25 To confirm the Minutes of the meeting of the Council held on 17 July 2023

RESOLVED that the minutes of the meeting held on 17th July 2023 be confirmed as a correct record.

26 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.

Seven 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.

Sixteen 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.

Four 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.

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

The Leader of the Council, Councillor Colin Smith, made a statement following the recent deaths of Honorary Freeman Richard Lane OBE, FCA and Councillor Andrew Lee.

Richard Lane was a long-time resident of the borough with an impressive professional career in accountancy and a wide-ranging contribution to the education, health, business and voluntary sectors. While doing all of this, he suffered from type 1 diabetes and underwent pioneering transplant treatment in 2005. He was chairman of Diabetes UK between 2008 and 2015, after which he continued to be an ambassador for the charity. He received national

recognition with the award of an OBE in 1998, while the borough had granted him its highest honour, the Freedom of the Borough, in 2004. Few people had made such a valuable contribution to the borough.

Councillor Andrew Lee had died while in office at just 66 years on 5th October. He had begun his career in the hard world of Lewisham politics and served as an agent for many years and at Conservative Central Office. His long-held ambition was to serve as an elected representative and he had finally achieved this in May 2022, being elected for Hayes and Coney Hall. His wife Gill had asked that he be remembered as a great motivator, for his sense of humour and for his ability to get things done.

Councillors Jeal, Webber, Michael and Bennett added their thoughts and condolences.

28 Budget Monitoring 2023/24
Report CSD23123

A motion to (i) agree that a sum of £1.8m be drawn down from the 2023/24 contingency as detailed in paragraph 3.2.2 of the report to the Executive and (ii) agree that a sum of £4.25m be transferred to the capital programme as detailed in paragraph 3.2.15 of the report to the Executive was moved by Cllr Colin Smith, seconded by Cllr Christopher Marlow and **CARRIED**.

29 Capital Programme Monitoring - Quarter 1, 2023/24
Report CSD23124

A motion to amend the capital programme by agreeing (i) an increase of a total of £2,656k in relation to Disabled Facilities Grant (£2,443k original award plus £213k supplementary award) and (ii) an additional £4,250k to be added to the Accommodation Capital Programme to be funded as follows - £2,000k of funding from the 2023/24 central contingency and £2,250k from the growth fund reserve, was moved by Cllr Christopher Marlow and seconded by Cllr Yvonne Bear and **CARRIED**.

30 Local Pension Board Annual Report
Report CSD23130

A motion to receive and note the 2023 Annual Report of the Local Pension Board was moved by Cllr Keith Onslow, seconded by Cllr Kira Gabbert and **CARRIED**.

31 Local Pension Board - Appointment of Board Member
Report CSD23119

A motion to appoint David Kellond as an Employer Representative to the Local Pension Board for the balance of the four-year term of office commencing 17 July 2023 was moved by Cllr Keith Onslow, seconded by Cllr Kira Gabbert and **CARRIED**.

32 To consider Motions of which notice has been given.

(A) Criminal Damage and Vandalism

The following motion was moved by Councillor Simon Jeal and seconded by Councillor Angela Page:

“Bromley Council unequivocally condemns acts of criminal damage and vandalism. We will continue to work with the Metropolitan Police, seeking to ensure all such crimes are investigated and the criminal perpetrators prosecuted.”

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

(B) Local Government Funding

The following motion was moved by Councillor Jeremy Adams and seconded by Councillor Tony McPartlan:

“Bromley Council and local authorities across the United Kingdom have been facing severe financial challenges due to years of cuts in government funding, with several councils including Woking, Thurrock and Birmingham having to issue S114 notices as they are effectively bankrupt. Bromley Council faces significant funding challenges with the prospect of a £29 million deficit by 2026.

Uncertainty over the future of government funding for local authorities is hampering their ability to plan and allocate resources effectively over the medium term. The proposed Fair Funding Review, developed in 2018 and aimed at redistributing resources more fairly among local authorities, has been delayed until April 2025 at the earliest.

This Council therefore calls on the government to provide an intermediate funding solution in time for financial year 2024-25, comprising:

- Additional funding to local authorities to address acute funding pressures.
- A multi-year settlement to move away from the current year-to-year approach that is leaving councils less able to plan for the future.

This Council further calls on all Members of Parliament representing Bromley constituencies to support this request for additional funding for local government by actively advocating for it in Parliament.”

An amendment was moved by Councillor Colin Smith and seconded by Councillor Christopher Marlow for the motion to read –

“Bromley Council and other Local Authorities across the United Kingdom are facing severe financial challenge, due to years of reduced Central Government funding, by successive Governments of all political persuasions,

with several Councils including Woking, Thurrock, Croydon, Slough and Birmingham having to issue S114 Notices as they are now effectively bankrupt.

Bromley Council itself faces significant funding challenges with the prospect of a £36.2m deficit by 2026-2027.

Uncertainty over the future of Government funding for local authorities is hampering Local Government's ability to plan and allocate resources effectively over the medium term.

The proposed Fair Funding Review, developed in 2018 and aimed at redistributing resources more fairly among local authorities, has been delayed until April 2025 at the earliest.

The Council therefore calls on the Government again to provide an intermediate funding solution in time for the financial year 2024-25 comprising:

- Additional funding to Local Authorities to address acute funding pressures.
- A multi-year settlement to move away from the current year-to-year approach that is leaving Councils less able to plan for the future.

This Council further calls on all Members of Parliament representing Bromley constituencies to continue to lobby for additional funding for Local Government by actively advocating for it in Parliament and to bring forward the Fair Funding Review."

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

The motion as amended was put to the vote and **CARRIED**.

(C) Public Toilets

The following motion was moved by Councillor Will Connolly and seconded by Councillor Chloe-Jane Ross:

"When public toilets owned and managed by Bromley Council were closed, the Council implemented the Community Toilet Scheme that saw numerous businesses across the borough sign up to offer residents and visitors toilet facilities without needing to make a purchase. Since the COVID-19 pandemic the number of businesses signed-up to the scheme has fallen dramatically. In addition, the standard of public toilets in some of the borough's parks has fallen.

A 2019 report from the Royal Society of Public Health found that one-in-five experience the 'loo leash' – leaving the house much less often than they would like due to a lack of public or available toilets. Bromley Council does not want this for our residents or visitors.

Council notes:

- That clean and safe publicly accessible toilets are critical in encouraging residents and visitors to get out and about in our borough.
- The lack of high-standard publicly accessible toilets prevents some adults and children from leaving the house as often or for as long as they would like to.
- This can stop people visiting our towns, high streets, shopping parades and outdoor spaces, it will cause social isolation for some.
- Age UK London reports that some people reduce the amount they drink before going to some places, and for older residents and many with impairments this can lead to dehydration and serious health consequences.
- The community toilet scheme in towns, and toilets in our parks and green spaces, make these places accessible to everyone.

Therefore, Council calls for the Executive:

- To develop a Publicly Accessible Toilet Strategy, with a designated Officer or Team responsible for its delivery, that will increase the number of Community Toilet venues and improve toilet provision in parks and green spaces.
- To launch a public information awareness campaign on publicly accessible toilets across the borough, including a directory on the Council website.
- To work with Councillors, residents' groups and other stakeholders to review the quality and accessibility of community and parks toilets, and identify opportunities for expanding the borough's Publicly Accessible Toilet network."

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

33 The Mayor's announcements and communications.

The Mayor thanked Members who had booked tickets for the Ball at The Warren on 21st October and reminded them about the charity dinner at the Tamasha Restaurant on 28th November. The Mayor announced the following events –

- The Civic Christmas Carol Concert on Sunday 17th December at All Saints Church, Bark Hart Road, Orpington.
- A Sunday Lunch at The Warren on 21st January 2024 - money raised to be donated to the Rotary Club of Bromley to add to their funds for supporting Ukraine.
- The annual Mayor's Quiz on Friday 23rd February 2024.
- Dinner at the East India Club on 11th April 2024.

The Meeting ended at 8.55 pm

Mayor

Council

16 October 2023

Questions from Members of the Public for Oral Reply

1. From Dermot Mckibbin to the Portfolio Holder for Renewal, Recreation and Housing

Why were the two 3 bedroomed Council owned properties recently put up for sale and then withdrawn from the auction, when was the last time these two properties were occupied, why have they not been allocated to rehouse households in housing need and when will they be re-occupied?

Reply:

The two properties have been vacant since 2019 and 2021. The decision was taken to sell the properties as due to subsidence/structural integrity issues, it would not be financially viable to bring them into use as affordable housing. Consequently, the properties are being sold as redevelopment opportunities to raise funds for more suitable affordable housing developments such as those already completed in Chislehurst, Anerley and Burnt Ash Lane.

The withdrawal from auction was as a result of statutory searches undertaken in preparation of the legal pack which discovered that independent utilities services were not available (this would be required to achieve a sale). Work is being undertaken to resolve this.

Once resolved both sites will be put back for auction to ensure the Council meets its S123 obligations under the Local Government Act 1972 to achieve best value.

Supplementary Question:

Is there no way these properties could be used to reduce the amount of money the Council spends on temporary accommodation for the 1,550 households in temporary accommodation? Would it be possible to sell them to a housing association and to provide much needed accommodation for households in need?

Reply:

As I said, both need significant work so are unlikely to be attractive to a housing association but they are welcome to bid for the properties. The funds that we are raising from these disposals will be put to other housing schemes and we have upcoming schemes at West Wickham, which is already under way, and we have just got planning permission for Bromley North, so we are continuing with our programme

of developing more affordable housing. It is just the most efficient way of spending the money.

Additional Supplementary question from Cllr Tony McPartlan:

Do we have a clear criteria for which properties we keep and which properties we sell and if we do would it be possible for us to see that?

Reply:

Are you talking specifically about residential properties? We do not have very many, and indeed there is a question for written reply that asks for a list of them. If they can be economically brought back into use they would be, if not we will dispose, raise the capital and put it to better schemes that make more financial sense.

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

How can the Council justify putting the price of a residents permit up by 50% when state pension only went up by 10.1% and wages far less.

Reply:

This is the first increase for four years. In that period there has been a substantial rise in costs. Our charges, which equate to one tank of fuel, are considerably cheaper than our neighbouring boroughs.

Supplementary Question:

I cannot see how you can justify a 50% rise. You have not increased the number of permit holder bays where I live. There are 107 bays in the five roads surrounding where I live; only 33 are for permit holders only. The rest, apart from pay and display and a few disableds, 61 of them are for permit condition A, or pay and display. Why can't you just take the conditions A away from them so residents can find somewhere to park. Still have them as pay and display, but no conditions. Obviously you know what condition a means. Why can't you give us some more permit bays and take the conditions A away from Florence Road and Hammelton Road where those roads are empty in the daytime and permit holders cannot find places to park.

Reply:

I don't know about where you live; if you care to write to me I will look into it.

(The third question, from Mr Tony Banfield, was taken as a question for written reply.)

Council

16 October 2023

Questions from Members of the Public for Written Reply

1. From Steve Wehrle to the Portfolio Holder for Renewal, Recreation and Housing

I am concerned about the number of empty premises in Orpington High Street. Some retail premises have been unoccupied for more than 5 years. What is the Council's position regarding the 'compulsory purchase' of these premises please?

Reply:

Compulsory Purchase Orders are expensive and used only as a last resort generally to enable public infrastructure and regeneration works to proceed. The Council has very little power in relation to empty commercial premises. The Council will continue to work with Orpington BID and provide whatever support it can to ensure Orpington High Street remains vibrant.

2. From Richard E Hart to the Portfolio Holder for Renewal, Recreation and Housing

Can you please supply details of the Council's policy about the use of compulsory purchase orders as a way of bringing back certain long term vacant properties into use and explain why the Council will not use such powers to reduce the number of long-term empties.

Reply:

Compulsory Purchase Orders are expensive and used only as a last resort generally to enable public infrastructure and regeneration works to proceed. In relation to empty residential properties, a report will be coming forward shortly with recommendations for encouraging landlords to bring their properties up to standard and make them available to the Council for local people in need of housing.

3. From Thomas Murphy to the Portfolio Holder for Renewal, Recreation and Housing

Please produce a table by ward of plots of land that the Council owns, in and outside Bromley and show how the Council intends to develop these sites to increase the number of homes built and to reduce expenditure on temporary accommodation.

Reply:

The Transparency data for Estates Management - Land and buildings data is public available on the council website here -

<https://www.bromley.gov.uk/downloads/download/140/land-and-property-asset-list>

The full list extends to 1,346 plots. The vast majority of these are not available for development or of a suitable size or designation for residential developments. All holdings are regularly reviewed and where surplus to requirements undergo a full options appraisal. Where suitable and viable for the development these sites will be brought forward within the Council's affordable housing development programme, which has already included developments on Council land in Chislehurst, Anerley, Burnt Ash Lane, Orpington and West Wickham.

4. From Kathryn Heller to the Portfolio Holder for Renewal, Recreation and Housing

Please produce a table by ward showing a list of residential properties that the Council owns in its list of assets, whether in or outside the borough by bedroom size, whether they are currently occupied, and how long they have been empty for.

Reply:

Below is the list of residential properties identified by ward area. Where these relate to individual street properties it is only possible to identify the area rather than address:

No of units	Bed sizes	Address	Ward	Designation	Status
25	1&2	Chris Whitty Place	Chislehurst	Affordable rented	Fully Let
10	1&1	Georges Grove Road	Crystal Palace & Anerley	Affordable rented	Fully Let
25	1&2	Burnt Ash Lane	Plaistow	Affordable rented	Fully Let
10	2	Ethelbert Road	Bromley Town	Temporary accommodation	1 unit vacant
5	2	Individual street properties various addresses	St Pauls Cray	affordable rented temporary accommodation	Fully Let
1	3	BR1	Bromley Town	affordable rented	Fully Let

Historically, the Council did own a small number of tied units – usually school or park caretaker cottages. These were not suitable for residential lettings once the need for tied accommodation had ceased and so have either been repurposed, sold or are in the process of disposal (see question above).

5. From Duncan Shrubsole to the Portfolio Holder for Environment

High Elms Country Park is much used for exercise and as a place for families to get together. The public toilets are only open Monday to Friday 8am – 4pm. Why are they shut at weekends and evenings when the park is busiest and can they be opened then asap?

Reply:

The toilets are to be open at the weekends and we are looking at options to extend the hours.

6. From Jeff Royce, Chairman, Friends of Bromley Town Parks & Gardens, to the Portfolio Holder for Environment

Will the Council ensure that good public access to the retained park is provided, during both the construction phase of work and beyond, on the former Civic Centre site?

Reply:

Yes, although there may be some safety restrictions during any construction work.

7. From Tony Banfield to the Portfolio Holder for Renewal, Recreation and Housing

The Churchill Theatre and Library are purpose built, valued cultural assets. In view of the public concern over their future will the Council commit to preserving these facilities either in the present building or to the same quality of facility in any new development?

Reply:

Reports about plans for the Churchill Theatre and Central Library are being considered at the October meeting of the Executive. The Council is in discussion with the Trafalgar Theatre Group, who operate the Churchill Theatre, about them acquiring the whole Churchill tower building, which would enable full redevelopment of the site including a new theatre and potentially a more significant cultural venue. Additionally, plans to relocate the Central Library to the former Topshop building on Bromley High Street are being brought forward which will represent a significant investment in our flagship library provision.

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Council

16 October 2023

Questions from Members of the Council for Oral Reply

1. From Cllr Michael Tickner to the Chairman of Development Control Committee

Under the current Legislation and Government Guidance does a resident or business in a Conservation Area need to notify the Local Planning Authority and obtain consent to use the whole of their garden as a car park?

Reply:

The advice that I am going to give applies inside and outside conservation areas.

Dwellinghouses benefit from permitted development to create a hard surface which can be used for car parking (that is subject to restrictions which mean if it is in front of the dwelling and more than 5 square metres the materials and/or design must allow for drainage).

The parking of a car itself within a residential curtilage by residents or visitors is not development and therefore requires no planning approval irrespective of how much of the garden this takes up.

Businesses and flats are likely to require planning permission for the formation of a hard surface although car parking itself on an existing surface is unlikely to require permission because it is not development.

A commercial car park would require planning permission, although the government planning guidance offers the following information about renting a space on your drive.

The Government's view is that it should be possible to rent parking spaces without planning permission, provided there are no substantive planning concerns such as public nuisance to neighbours.

"There is a public interest from such renting, by providing more cheap and flexible parking spaces for people to park their car and taking pressure away from on-street parking.

The decision on whether renting out a parking space requires planning permission will depend on 2 principal factors:

1. *The first is whether renting out a parking space results in a material change in the use of the space. Determining whether there has been a material change of use will depend on whether a space is used in a significantly different way to how a parking space would normally be used (irrespective of the identity of the driver). For example, if by renting out spaces, it causes a notable public or neighbour nuisance. A local planning authority will make this decision based on relevant facts and on a case-by-case basis.*
2. *The second is whether there are any other relevant planning considerations, such as planning conditions, which impose restrictions that prevent parking spaces being rented out.*

If renting out parking spaces does not amount to a material change of use and if there are no other planning considerations that prevent parking spaces from being rented out then it would not require planning permission."

Supplementary Question:

Are you aware that in my ward there is a listed building, a commercial building, in a conservation area, where the new owners have torn up the garden - it is in excess of 5 metres - to make a car park? When this was reported to Planning Investigation my residents were fobbed off with the response that they should speak to Highways Officers about it. Are you aware that in Shortlands Village Conservation Area the front garden has been filled with hardcore, the front wall torn down, all without planning permission? Whilst I understand that there are staff shortages in Planning is it not about time that officers' delegated authority to close enforcement cases is removed so that Planning Members can decide whether or not a case should be dropped?

Reply:

I am aware of both of these cases and I would agree that planning enforcement should be as robust as it possibly can to stop incidents like this from happening again.

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

Given the disgusting misogynistic comments broadcast by GB News on 26th September, will the Leader of the Council be asking his Conservative colleagues, and any other inclined Councillors, to refrain going on the discredited GB News Channel in their capacity as Councillors representing the good people of Bromley?

Reply:

I must confess to being rather surprised to receive a question concerning misogyny from the Liberal Democrats at this time, given the vulgar and utterly tasteless 'joke' made by their Party Leader, Sir Ed Davey, at the Liberal Democrat conference on 26th September, for which he has still not apologised to the 34 Conservative women MPs to whom he caused offence at the last time of checking.

I also note in complete contrast, how swiftly GBN moved to remove those concerned from post for their excesses. A question of double standards, perhaps?

In either event, the answer to the substantive question is no.

We believe in free speech within bounds of the law on this side of the Chamber and we will continue to appear through any legally approved broadcasting medium, if, and when invited to do so.

Supplementary Question:

I was outraged that day. This is about standards in public life for all of us as councillors. Are you aware that there are twelve Ofcom complaints against GB News, so not just for this incident. It has been widely reported that the owner of GB News is so worried that he is concerned that he will not be considered a fit and proper person to make a bid and buy the Telegraph newspaper. Given that information, do you still think it is appropriate that Bromley Councillors go on GB News in their capacity as Councillors?

Reply:

I find it quite telling that the Liberal Democrat Group opposite is concerned that Bromley Councillors are getting a very clear and distinct message out on what I understand is one of the most popular TV channels in the country. I think it says more about their concern about our message getting across than the reputation of the TV channel itself.

(Councillor Simon Fawthrop declared an interest that he had been on GB News and other broadcasters.)

Additional Supplementary Question from Cllr Simon Jeal:

Would the Leader like to reconsider his position in the light of Councillor Fawthrop's comments?

Reply:

I am reconsidering my position.

3. From Cllr Simon Jeal to the Portfolio Holder for Environment (taken by the Portfolio Holder for Transport, Highways and Road Safety in the Portfolio Holder's absence)

When were the waterways in Kelsey Park, Crystal Palace Park, Betts Canal and others across the borough last desilted and why was an ongoing requirement for regular desilting not included in the contracts for parks management and related services, awarded to idverde in 2019?

Reply:

Unfortunately, it appears that these were last desilted around 20 years ago or more. Croydon Canal in Betts Park was completed in the summer. Desilting requires a

specialist supply chain. The Council has committed £2m to desilt Kelsey Lakes with works planned next year.

Supplementary Question:

Is he aware that the requirement was withdrawn from the contract at the last minute, and could he explain who took that decision and why. I would be happy for the Portfolio Holder to write to me with that answer.

Reply:

Councillor Jeal anticipates my answer.

4. From Cllr Tony McPartlan to the Portfolio Holder for Renewal, Recreation and Housing

Referencing this article: <https://www.mylondon.news/news/south-london-news/terminally-ill-south-londoner-trapped-27516863>

Following the Ombudsman's decision and after calling this case an "injustice", what lessons have been learnt and changes put in place that ensure we offer residents with complex medical needs the best housing service possible?

Reply:

This is a very complex case and we have great sympathy for the lady in question. She was made offers of accommodation, including a new build property in one of the Bromley's own led developments, which she declined. However, the service recognises that communication with her was not as clear as it could have been and consequently failed to properly manage her understanding of the process and her expectations. In addition, there was an administrative error which led to a delay in a further offer being made.

Staff have been reminded of the importance of following the correct procedures in respect of assessments and nominations. A high needs panel, made up of senior staff including housing officers and OT's meets regularly to discuss the cases of those clients with complex medical circumstances in order to ensure that they are properly assessed and prioritised for assistance. This also ensures that the best use is made of any adapted or adaptable accommodation that becomes available to the local authority to nominate to.

I am pleased to advise that a further offer with a Registered Provider has been made to the lady in question. This is in a new build, within her preferred area of choice. The development is due to be handed over at the end of the month and we expect tenants to be able to move in shortly thereafter.

Supplementary Question:

This is a complex case. Is there an argument that we might need additional resources or additional training to help our incredibly stretched teams deal with complex case like this in future?

Reply:

The approach being taken to address this is working more collaboratively across teams to ensure that all angles are covered. With any case where mistakes are discovered in retrospect lessons have to be learned and working practices have to be addressed and that is what has gone on with this one. We will try to do things better going forward and make sure that we more efficiently deal with cases of this nature.

Additional Supplementary Question from Cllr Jeremy Adams

Lots of us are getting emails in our inboxes regarding housing issues and de-mystifying the process for people going through housing applications for the first time. Are there active steps in making communication more simple, explaining the jargon, explaining the procedures?

Reply:

The Team will walk someone through filling out the application form. They can do that by phone, they can come into the Civic Centre, but they can be hand-held through the process if necessary.

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

Reference: GOV.UK - Active Travel England announcement 29 September 2023.

“£60million government investment to transform the school run for 2 million children”

It's good to see this investment in walk and cycle to school programmes over the next 2 years, including £50million in Bikeability cycle training. £5million will, via charity Living Streets, support walk to school programmes aimed at hundreds of thousands of pupils across England.

Does the Portfolio Holder support Living Streets' aim “to tackle the barriers that prevent families choosing to walk to school, such as unsafe walking environments” and how will he break down those barriers?

Reply:

Making our streets safer is the central core of our road safety policies. Cllr Igoe will have seen the comprehensive report I tabled at the June Environment PDS.

We have a first-rate School Travel Plans team. In recent years we have built a dozen new zebra crossings and improved many other streets in different ways and more are in the pipeline.

Supplementary Question:

That is excellent to hear, and I am on the Environment Committee so, yes, I have seen that report. On a recent walk with Bromley Officers and School Travel Officers around the roads surrounding one of the schools in my ward, Plaistow, the officers queried whether the “Slow” flashing signs were actually working close to the school. Those are being checked. Do we, and if we do not do you agree that we ought to,

regularly check that all of these road safety signs around schools are working, and will you agree to have all such signs around each school checked that they are working before the end of this school term please?

Reply:

We can do that, subject to the resources. I was at Raglan Road School last Thursday with the ward councillors Councillor Jefferys and Councillor Gupta and there the 20mph zone was not working, so we are going to replace that. Yes, we will see if we can make sure that they are all working, otherwise there is no point in having them.

6. From Cllr Ruth McGregor to the Portfolio Holder for Resources, Commissioning and Contract Management

Is the Portfolio Holder aware of whether the Council or any of their contractors employ the use of artificial intelligence (AI) in determining access to services or for any other purposes, or whether they have the intention to do so?

Reply:

Signposting Voice Bots are currently live on our Registrars telephony service and the Council Tax and Business Rates lines. Voice Bot functionality uses artificial intelligence (AI) and natural language to interpret intent and speech commands to direct customers accordingly.

Further development is underway to increase the number of services that the VoiceBot functionality is available on for residents to make access to services easier. We will be looking to take the lessons from the Signposting VoiceBot developments to look to introduce Web Bots onto the Bromley Council website, to improve the experience of those who access it.

Supplementary Question:

This question came up at a meeting with residents, so it would be helpful if that information could be made available. I was thinking more around decision-making. As technology moves on there may be potential for a decision that moves through a chain of events. If we are going to use it those circumstances what safeguards would be in place and would be doing consultation with residents about extending its use?

Reply:

At the moment, our use of AI is at the rudimentary Or initial stages. Officers are working on the groundwork for an updated digital and IT strategy and that will consider additional applications of AI which may be more advanced than those we are currently using. It depends on the service area what degree of consultation is appropriate but Members, certainly through the relevant PDS Committees, will be involved in drawing up the strategy and will have many opportunities to contribute.

7. From Cllr Jessica Arnold to the Portfolio Holder for Renewal, Recreation and Housing

Bromley Council recently refused planning permission for a hand car wash business to operate from the Council-owned car park of Beckenham Spa. However, the business was already operational and has a contract to rent the site from the Council.

Will the Council be enforcing the planning permission refusal and terminating its contract with the business, or continuing to draw an income?

Reply:

This application is currently the subject of an appeal. If the appeal is unsuccessful then the tenancy agreement with the car wash will be terminated forthwith.

Supplementary Question:

I do sympathise with the Council's situation where we find ourselves and the impact we are having with residents who want fair planning enforcement but also we are doing business with businesses who are setting themselves up. Where the reason for refusing planning permission is some kind of nuisance, for example excessive noise, and the Council as landlord has responsibility for its tenants, how does the Council reconcile that when not enforcing planning permission and remaining the landlord of these potential nuisance-causing activities? Not this specific one, where I appreciate there is a resolution, but there are other examples in the borough – I understand run the risk of falling foul of doing right by both residents and the businesses?

Reply:

Enforcement action cannot be taken whilst an application is in an appeal process. You have to await the outcome of the appeal, because there is still a valid route for them to take and until that route is concluded they are still "innocent."

Additional supplementary question from Cllr Jessica Arnold

Is there a period of time before the refusal and the appeal coming in because in this specific case it has been quite a long time so residents are a bit befuddled about why it had not been enforced.

Reply:

I do not know the details of this specific case to know whether that was an issue, but we can find out and I am happy to get back to you.

Additional Supplementary Question from Cllr Mark Smith

I note that the Portfolio Holder replied to the same question that Councillor Arnold put as a written question, and referenced the car wash in High Street, Chislehurst car park, which is in exactly the same position – it has gone to appeal, and we are waiting for the result. The car wash in High Street, Chislehurst has been operating for about eight years – can the Portfolio Holder shed any light as to why and how it has been allowed to operate without any permission?

Reply:

Is it still in appeal at the moment? That will be why – it is the same principle. If there is an appeal.

Additional Supplementary Question from Cllr Mark Smith

My question was, what happened eight years ago to give the car wash permission to start, when it did not have permission. How was it able to operate for eight years without permission?

Reply:

I do not know the specifics of that scenario; we will have to look into that and get back to you.

Additional Supplementary Question from Cllr Josh King

What due diligence and other checks are carried out to ensure that when Council land is leased it is used lawfully to ensure fairness for residents and businesses?

Reply:

That question may be better directed at Licensing.

The Mayor suggested that a written response be provided to Cllr King.

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

What is the current waiting time for Autism Assessments?

Reply:

These assessments are overseen by the ICB and are delivered jointly by Oxleas (CAMHS) and Bromley Health Care. The current wait time is an average of 18 months. Both organisations are very aware that this level of waiting time is clearly not in the interests of our young people, and have recently agreed additional resources to speed up initial contacts and the triaging of cases. They are already seeing some early improvements in waiting times. The length of waiting times have been impacted by a rise in demand in recent years and this is a pattern that has also been experienced nationally.

Supplementary Question:

We have parents whose children are literally in limbo with this long, protracted wait time for assessment. Is there anything that can be put in place to engage with these children, even if it is not exactly what they need so that they are not left for all this time with no support for the parents and the children doing nothing?

Reply:

There are certain schemes being put in place by the ICB, the Education Department and the schools to try and support these children while they wait. Here at the Council, with the South-East London ICB, we have a new all-age Autism Strategy

2022/27 which aims to help us understand what more is needed to shorten the length of time and how to support those waiting. Bromley Council and South-East London ICB have also brought in a project manager to lead on improving diagnostics and support services. The ICB want to assure you that all referrals are triaged so that the young people with the most acute needs are prioritised, and they have also agreed additional funding for two new posts to provide extra capacity and to support intervention with those young people while they are waiting. The ICB have also increased funding to Mencap to increase their capacity to provide practical help.

I can give you some information as to how schools are supporting them. Last year at the Council we co-produced with parents a 100-day Challenge for Autism. This focused on up-skilling skills in schools and settings to raise awareness of Autism and this also led to Autism Champions in our schools. The Education Department offers comprehensive guidance and training packages for schools including accredited Autism Trust training and this helps ensure the school staff are able to identify and support Autism spectrum conditions within the school. Schools are also supported by the Department here to adopt ways in which school environments can become more Autism-friendly, which can have a positive impact on pupils with Autism and prevent placement breakdown.

Additional Supplementary Question from Cllr Simon Jeal

Could you please confirm how many children across the borough are currently out of education and have been since the start of term due to awaiting such an assessment?

Reply:

I do not know that number, but I will get back to you on that.

Additional Supplementary Question from Cllr Alisa Igoe

Are the families told at the very beginning that there is an eighteen month wait or do they only find out further down the line?

Reply:

This is an area managed by Health – I don't know if someone more health related might know the answer?

Additional comment from Cllr Kathy Bance

Two of my parents were informed that the wait would be twenty-four months, so they are made aware early on that there is going to be a long wait.

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

9. from Cllr Chris Price to the Portfolio Holder for Children, Education and Families

The Mayor of London is funding Free School Meals for children in years 3 to 6 at £2.65 per meal at an expected take up rate of 90%. Bromley Council have received the funding. Can you confirm that all Bromley primary schools have received their full first term grant?

Reply:

The GLA has not provided a detailed breakdown of the allocation for Bromley schools. The first tranche of funding has been allocated to Bromley schools in accordance with the grant criteria and an update provided to Schools Forum.

10. From Cllr Josh King to the Portfolio Holder for Transport, Highways and Road Safety

There was yet another accident on Elmers End Road at the end of September which involved an overturned car and a trapped occupant. Residents are concerned that given the repeated serious accidents on this road it is only a matter of time before there is a fatality.

What is the Portfolio Holder doing to prevent this?

Reply:

I refer Cllr King to the reply to Cllr Igoe with regard to our road safety policies and actions.

At each location where there have been a number of injury collisions, Officers investigate to see if there is a common cause behind them and whether there are measures that can be taken to prevent them.

Officers are looking at the junction of Ash Grove and Bourdon Road.

11. From Cllr Kevin Kennedy-Brooks to the Portfolio Holder for Resources, Commissioning and Contract Management

What is the Portfolio Holder's justification to more than doubling the rents of community centres run by unpaid volunteers? An action which essentially prices out renters which leads to the prevention of important community services for the most vulnerable residents.

Reply:

Leases entered into by community centre groups, in common with all property assets owned by the Council, are governed by S123 of the Local Government Act. Lease renewals or rent reviews, which occur at regular intervals throughout the tenancy period, are required by this legislation to achieve best value.

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

The cost of the capital programme for the refurbishment of Churchill Court has risen by £4.25 million. There are also added costs of £1.8 million for dual running of two HQs. Can the Portfolio Holder guarantee that the costs of the move to Churchill Court will not rise significantly further?

Reply:

The costs of the refurbishment of Churchill Court have not risen by £4.25m as suggested; at the time that members agreed to the purchase, indicative figures were provided for the refurbishment. Since then, the scheme has been developed with information obtained from surveys and additional background information and from this detailed work, the full cost of the refurbishment has been established. There was also an opportunity identified to generate additional income from the site, and the updated costs needed to reflect this.

There is always uncertainty in predicting the final cost of building works and relocation arrangements given the current inflationary environment and cost arising from any additional work that is deemed necessary but could not have been foreseen at an earlier stage. However, no additional costs are expected from the latest estimate, with some contingency remaining.

In considering the overall costs, it is essential to recognise that there remains a fundamental business case to support moving to the new headquarters with:

- (a) One-off capital savings currently estimated at £15m over the planning period after allowing for the impact of staying on the current site and attempting to bring it up to a suitable and fit standard;
- (b) The new office accommodation also provides significant opportunities to generate revenue through commercial lettings which will lead to a positive ongoing revenue savings by year six of occupation of around £1.4m per annum;
- (c) There are further cost savings not included above relating to the release of other property used by staff other than the civic centre site. For example, moving Adult Social Care staff from the Walnuts to Churchill Court enables the council to save on potential liabilities of £2m.

In addition, the new headquarters are likely to have a significant effect on the recruitment and retention of staff, which is a significant benefit to the organisation.

13. From Simon Jeal to the Portfolio Holder for Transport, Highways and Road Safety

Over a year on since the camera was removed outside Harris Kent House Primary on Kent House Road, the school has reported daily incidents to the Council of unsafe driving and parking by parents, putting children at risk of harm, while a civil

enforcement officer said in April the number of incidents was "more than at any school" they had observed.

Why is the Council refusing to move the camera back?

Reply:

There are more than 100 schools in the borough and so the available cameras are moved when they have served their purpose at one school. Compliance with the school zig zag lines at Kent House improved as a result of the camera and it has been moved to another school with a greater need.

Nearly all schools report problems of bad parking around school pick up/drop times and the team will continue to share the resources accordingly.

It should be noted that a camera will only issue PCNs to vehicles stopping on the school keep clear zig zag markings, the more common parking problems around schools are vehicles parked on yellow lines, the footway or blocking driveways and these restrictions can only be enforced by a Civil Enforcement Officer on foot, not by camera.

14. From Cllr Alisa Igoe to the Portfolio Holder for Environment

On 27/09/23 two annual residents' surveys opened on the Council website, a) Street Cleansing, b) Recycling & Waste Collection, with only 27 days, until 24/10/23, to complete. In 2022 Veolia sent surveys to a statistically representative sample of homes, and held face to face surveys in Bromley Town centre, receiving only 395 respondents (123 postal & 272 on-street).

How many of our 330,000 residents are you hoping will complete the surveys this year?

Reply:

I see no point in trying to estimate how many residents will respond. I would encourage all members to publicise the surveys on their social media websites.

15. From Cllr Kathy Bance to the Portfolio Holder for Environment

We are suffering from a sudden increase of graffiti that is costing our residents large sums of money to rid their vans, shopfronts and properties of the painted TAGS/Dates. Is the rest of Bromley suffering from this increased problem and if so, is anything being done Bromley-wide to address this issue?

Reply:

There does not appear to be a marked increase in graffiti reports. As Cllr Bance will know, we have an excellent record of removing graffiti and fly posters. We aim to clear and remove reported graffiti and flyposting within three working days, where the location is visible and accessible from the public highway (which would include

3rd party property such as shop fronts) but we require authorisation and a signed waiver form to be completed before any work will take place.

16. From Cllr Tony McPartlan to the Portfolio Holder for Renewal, Recreation and Housing

Bromley is one of just a handful of local authorities where there is a shortfall of over £20 per week between Local Housing Allowance (LHA) rates and 30th percentile rents for two-bedroom homes. This means private rental properties are unaffordable to those on housing benefit. Are we lobbying the government to increase LHA rates?

Reply:

Yes we are. Lobbying is being led by London Councils on behalf of all London Boroughs and is also raised by the Council at meetings directly held with government. In the meantime, we continue to work with private landlords in order to bridge the shortfall through a variety of services and incentives in order to support our residents to secure private rented accommodation.

Council

16 October 2023

Questions from Members of the Council for Written Reply

1. From Cllr Mike Jack to the Portfolio Holder for Transport, Highways and Road Safety

It has been claimed that 20mph limits during school hours only, are a more effective deterrent than blanket 20mph zones. What evidence does the Council have to support this claim?

Reply:

We do install 20 MPH flashing signs at the beginning and end of the school day in appropriate locations. It is not our policy to introduce blanket 20 MPH zones.

Research commissioned by the DfT shows that following the introduction of signed-only 20mph limits, such as in Edinburgh, the median speed fell by just under 1mph and found no significant change in collisions and casualties. Please see the study commissioned by DfT:

[20mph Research Study: Process and Impact Evaluation Headline Report November 2018](#)

I quote from the report: "Further analysis of safety outcomes – This study has found no significant safety outcome (in terms of collisions and casualties) in residential areas, based on the post implementation data available to date."

2. From Cllr Jessica Arnold to the Portfolio Holder for Resources, Commissioning and Contract Management

How many sites across Bromley is the Council leasing it's land or buildings to businesses or other uses that do not have planning permission; how much income would we lose if we enforced planning rules at all of these sites; and are there any guidelines that we have adopted in Bromley to ensure consistency of approach in both the initial leasing of sites and the planning enforcement action that is taken?

Reply:

All properties let by the Council have planning permission for their permitted use.

However, there are 3 car washes within Council car parks, High Street Chislehurst, The Spa, Beckenham and High Street, West Wickham where occupation has been granted on a tenancy at will basis where the car park operator has applied for retrospective planning permission. These applications have been refused and appeals have been submitted on all 3 locations. If these appeals are unsuccessful, then the tenancy at will agreements with the car wash operators will be terminated.

There are also 17 car parks with amazon/in-post lockers installed where retrospective planning is being applied for.

The income generated to the Council for the 3 car washes and 17 lockers is £29,250 per annum.

3. From Cllr Sam Webber to the Portfolio Holder for Resources, Commissioning and Contract Management

Can the Portfolio Holder confirm that Officers will draw up a list of objects and assets in the grounds of the Civic Centre which will need to be relocated when the site is sold? The art deco ornamental lamps outside the public entrance to the Chamber came from the old Beckenham Town Hall for example and there are also benches in memory of former Councillors and staff. Could some of these items be relocated into the adjacent Bromley Palace Park which is being retained by LBB as a public park?

Reply:

The Accommodation Programme is undertaking a piece of work to document all the objects and assets across the old Civic Centre grounds and within the buildings and will be pulling all of this together into one document and working with colleagues from across the Council to look at ways to relocate items.

4. From Cllr Sam Webber to the Portfolio Holder for Environment

Would the Portfolio Holder consider works by our contractors to remove the trees which have fallen into the lake in Bromley Palace Park and are causing it to get silted up. Could removing these trees be undertaken as part of an ongoing programme to improve this park for the residents who use it and want to see it restored to its former glory.

Reply:

In July 2023, works were undertaken to improve the conditions around the lake in Bromley Palace Park. This included cutback of vegetation, removal of self-set trees under 25mm in diameter, and cutting and clearing low hanging branches to improve the views and condition of the areas around the lake.

Whilst the Council does seek to remove logs and trees that fall into waterbodies, there are occasions where this is not desirable on the balance of cost and benefit.