

**COUNCIL MEETING**

**1<sup>ST</sup> JULY 2013**

**WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL**

**1. From Councillor Russell Mellor of the Leader of the Council**

My question to Council of the 27<sup>th</sup> February omitted to provide the salary scales as requested, can you provide the appropriate information.

**Reply:**

The salary scales for staff including Management Grade staff are posted on OneBromley under 'Localised Pay.'

**2. From Councillor Russell Mellor of the Leader of the Council**

I would be obliged if the Leader could advise me as to the scale, or scales, of compensation that an owner can claim if the Community Right to Bid under the Localism Act 2011 is not activated by a Community Group prior to the cessation of the Moratorium period.

**Reply:**

If an owner of a listed asset notifies the Council of their intention to dispose of the asset, the interim 6 week moratorium period commences. During this period the Council must publicise locally the owner's intention to dispose, amend the list and notify the nominating group. Any community group has until the end of the interim moratorium period to make a written request to be treated as a potential bidder. When this happens the full moratorium period of 6 months applies.

An owner can claim compensation for loss and expense incurred through the asset being listed. The claim can be for delay in entering into a binding agreement to sell which is wholly caused by the interim or full moratorium period and for legal expenses associated with a successful appeal to a Tribunal. The owner must make his/her claim in writing, state the amount and provide supporting evidence. The Council must then consider the claim and provide written reasons for its decision.

**3. From Councillor David McBride of the Portfolio Holder for Public Protection and Safety?**

When will there be an operational CCTV camera in Star Lane?

**Reply:**

The proposed camera for Star Lane has been installed and connected to the system and it is currently subject to testing. It should be fully operational and viewable in the Civic Centre control room by June 30th.

**4. From Councillor Nicholas Bennett of the Portfolio Holder for Renewal and Recreation**

If he will provide the following statistics to update the answer given by his predecessor on 20<sup>th</sup> November 2006 and that on 28<sup>th</sup> June 2010, how many borrowings and visitors were recorded at each library for each year since 2009-10?

**Reply:**

See appendix 1 attached.

**5. From Councillor Nicholas Bennett of the Chairman of the Development Control Committee**

If he will provide for each of the past three years the following information;

- i. Number of planning applications received;
- ii. Number approved under delegated powers;
- iii. Number refused under delegated powers;
- iv. Number approved by committee;
- v. Number refused by committee;
- vi. Number approved on appeal;
- vii. Number refused on appeal?

**Reply:**

The answers are set out in appendix 2. These figures are based on the statutory government returns. The numbers of applications and appeals received and determined do not exactly tally as some applications are submitted and determined in different financial years, hence the three separate tables.

**6. From Councillor Nicholas Bennett of the Portfolio Holder for Education**

What progress he has made with the Catholic Archdiocese of Southwark with regard to the establishment of a Catholic Secondary School in the borough?

**Reply:**

The local authority has met representatives of the Catholic Archdiocese of Southwark and discussed the proposal for a secondary school in the context of the review.

Numbers would be justified by the anticipated growth in rolls and should not represent a concern to other schools given the timescale needed to consult, to secure funding and to build.

There is a desire for a five forms of entry (5FE) mixed school with a sixth form. However, the Archdiocese are not planning that this would be on the existing All Saints site and would want to release this site for disposal.

Other sites in the ownership of the Archdiocese have been put forward. These are more central to the borough and the local authority has requested that the Archdiocese commissions an option appraisal, on an agreed brief, to determine which of these may be suitable and to inform the review process.

Approval of a new site would be a necessary condition for the disposal of All Saints and planning considerations are key.

Options for funding the capital costs would also need to be discussed, whether by the Basic Need Grant or through the Free School route.

This would be reported to PDS Committee in the autumn

**7. From Councillor Peter Fookes of the Portfolio Holder for Resources –**

Given that I have raised the issue of the Lodge in Penge Recreation Ground on many occasions, is it not now time for the Council to make this property fit for human habitation and to put a charge on it accordingly?

**Reply:**

Penge Lodge is in excellent condition internally and externally and requires only decoration in the living room and white goods in the kitchen prior to being let or sold.

The owner has spent in excess of £70,000 refurbishing the property to a high standard. The windows and door have been replaced, but remain boarded externally to prevent vandalism.

The Empty Property Officer remains in regular contact with the owner who has previously offered to show members around the property if they wish to view.

**8. From Councillor Peter Fookes of the Portfolio Holder for Resources**

Given that Bromley are now responsible for the administration of crisis loans with effect from April 2013, what provision is being made for this service being available to the residents of Bromley?

**Reply:**

Full details of the proposed scheme for Bromley residents was contained in a report to the Resources Portfolio Holder at the meeting of Executive and Resources PDS Committee on 27<sup>th</sup> March 2013 entitled "Local Welfare Provision (Bromley Welfare Fund)". Appendix 1 to the report advised of the objectives and eligibility criteria of the scheme.

Members agreed the proposals contained in the report relating to the new Bromley Welfare Fund.

**9. From Councillor Peter Fookes of the Portfolio Holder for Care Services**

What is the procedure for residents and charities who contact the Council out of hours with a client who is homeless and does this apply to people from overseas?

**Reply:**

There is a statutory requirement for us to run a 24 hour emergency service. Essentially if anyone is homeless out of hours they will contact the Council's emergency out of hours number, this takes them through to the call centre who will undertake initial triage of the case to provide basic advice and establish whether they are actually immediately homeless. If this is the case then they will be passed through to the housing needs officer who is on duty at this time. They are able to provide emergency advice and if appropriate make a placement into temporary accommodation, women's refuge etc as required. In terms of persons from abroad then the assistance provided will depend on their immigration status and eligibility for services in terms of the homelessness legislation, Children's act, national assistance act etc. the call centre provides the initial point of contact for both housing and social care and will direct as appropriate. If status is not clear then the case will be passed across to the duty officers who will liaise and agree on a way forward to assist.

**10. From Councillor Tony Owen of the Portfolio Holder for Public Protection and Safety**

What is the borough strategy towards so called 'legal highs' be they obtained from khat (an illegal drug in USA) or products bought from the Skunkworks franchise shops?

**Reply:**

Trading Standards and Police have carried out visits to the Orpington premises and found no illegal activity. The products on sale are at present legal. They do not fall under the control of the Misuse of Drugs Act 1971.

I will continue to lobby for the introduction of effective legislation, both in prohibiting these substances and to introduce a licensing scheme in order that local authorities can control the emerging trends of these retail outlets. I will continue to seek updates on the current legislative position in relation to the on-going criminal sanctions which are taking place in Hampshire, and I will ensure Trading Standards and Police are working together to closely monitor the activities of these shops.

**11. From Councillor Tony Owen of the Portfolio Holder for Resources**

Is there any chance of Members getting decent access to the internet from Council laptops?

At present access can only be made via Citrix using an obsolete version of Internet Explorer that is not supported by many websites and is known to be insecure.

**Reply:**

The internet can be accessed from a Bromley laptop in two ways. The first is as suggested via Citrix. The other is to use the local internet connection either from a home broadband service or from a Wi-Fi hotspot which will give unrestricted access to the internet, subject to any local restrictions or policies.

With regards to the browser we are in the final stages of Internet Explorer 8 (IE8) compatibility testing with the Bromley Line of Business systems, and will shortly be rolling it out across the estate as part of the changes to the HR self-service system. If any Member would like to be upgraded to IE8 in advance of the main rollout, please contact Democratic Services and this can be arranged.

We are working with Capita on two projects for the laptops. The first is to update the existing XP laptop build to bring about some speed improvements following problems that some users have experienced since we changed to a new internet service provider. The second is the Windows 7 project, which will change and greatly simplify the way we use the Laptops and give a much better user experience. This will have the latest version of internet explorer possible. We are also looking at options for supporting other browsers such as Google Chrome and would welcome any feedback regarding other browsers that people use.

The members New Technology Working Group have made recommendations regarding the provision of ICT equipment in the future, based upon tablets and simplifying the requirements, and these will be worked up into firm proposals for Member approval.

**12. From Councillor Kathy Bance MBE of the Portfolio Holder for Renewal and Recreation:**

At the June Executive meeting, He promised that action was imminent over the Porcupine Pub in Mottingham. When will his special meeting be held?

**Reply:**

A special meeting to consider an Article 4 Direction is not required at the present time as Lidl have confirmed that they will not demolish the building before submitting their planning application to redevelop the site.

The Council have refused the 'Part 31' prior approval application in respect of the proposed demolition of the Porcupine. Bob Neill MP recently met with Lidl and they have agreed that they will submit a full planning application for the redevelopment of the site and will not pursue the demolition via permitted development.

The Article 4 Direction would have prevented the exercising of permitted development rights which allowed demolition, so as Lidl are not proposing to use those rights, we are not proposing to consider the Article 4 Direction in the foreseeable future. Should a further Part 31 application be submitted, we could consider an Article 4 Direction at that time. The building cannot be demolished without either approval under a 'Part 31' application, or as part of a planning permission. A planning application would be reported to Plans Sub Committee once received and considered.

**13. From Councillor John Getgood of the Portfolio Holder for Renewal and Recreation:**

What penalty clauses have been imposed on the contractor as a result of the relaying of paving in Orpington High Street?

**Reply:**

As the defects in Orpington High Street were identified during the two year guarantee period, and remedial works completed by the contractor at their expense within an agreed timescale, no penalty payments have been charged to the contractor.

**14. From Councillor John Getgood of the Portfolio Holder for Care Services**

How many homes in Bromley are empty and what efforts are being made to get them back into use? Will the Council use Compulsory Purchase Powers if the land owner does not wish to engage?

**Reply:**

883 homes were registered empty for more than 6 months as at 26th May 2013.

The Empty Property Officer is in contact with all owners of long term empty properties and currently mailing them in batches to advise of funding opportunities and to offer advice and assistance to help bring properties back into use. Where properties are giving rise to specific nuisance issues then statutory action is taken to resolve the issues via Planning, Building Control and Public Protection and Council Tax and this action is usually coordinated by the Empty Property officer.

Where owners will not engage and the properties exceed a member agreed rating system for an Empty Dwelling Management Order (EDMO), then this process is commenced. An EDMO allows the Council to take control of a property, undertake repairs and let the property. The next hearing for an

application for an EDMO is the 5th of August for a property in Penge. Two other long term empties are also being prepared for an interim EDMO application. Compulsory Purchase is used very infrequently as it has a high cost to the Council and not all costs can be recovered. The EDMO process is an effective and cost neutral alternative.

**15. From Councillor John Getgood of the Portfolio Holder for Resources**

What is the procedure for informing all councillors when a contractor goes into receivership? Should the Portfolio Holder not be required to report this to the next meeting of his/her PDS?

**Reply:**

The action required will depend on the value, nature and impact of the contract including, for example, the impact on the service to residents and alternative provision available. In the event of any issues with contractors which might present a risk to service officers would normally brief the Portfolio Holder at an early stage. Once the impact was clear and there were decisions to be made which required Portfolio Holder or wider Member approval, officers would prepare a formal report and normally this would be pre-scrutinised by relevant PDS Committee.

Such situations for high value contacts would also be reported within the contract register which is submitted to PDS Committees.

Not all circumstances would result in the need for Portfolio Holder approval/ decision.

**16. From Councillor Simon Fawthrop of the Chairman of the Development Control Committee (to be asked at every Council Meeting)**

What pre-application meetings have taken place since the last full Council Meeting between Council Officers and potential planning applicants? Can these be listed as follows:-

The name of the potential applicant, the site address being considered.

**Reply:**

There have been 44 Householder pre-application meetings and 43 Non-Householder Minor pre-application meetings between 23<sup>rd</sup> February and 24<sup>th</sup> June 2013.

As you are aware details of individual applicants and sites at present is exempt information and not disclosable in response to a Council Question.





### Appendix 1 – Question 4

Issues	2009-10	2010-11	%change	2011-12	%change	2012-13	%change
Anerley	36,460	34,649	-5.0	32,796	-5.3	29,492	-10
Beckenham	283,234	266,756	-6.0	260,838	-2.2	233,254	-11
Biggin Hill	71,903	91,494	27.5	81,377	-11.1	73,311	-10
Burnt Ash	22,239	22,951	3.2	19,736	-14.0	17,928	-9
Central	458,214	430,402	-6.0	393,099	-8.7	353,046	-10
Chislehurst	115,246	112,964	-2.0	104,305	-7.7	91,673	-12
Hayes	43,848	40,805	-7.0	38,815	-4.9	33,929	-13
Mobile Library	31,636	30,978	-2.0	27,381	-11.6	22,046	-19
Mottingham	35,081	32,243	-8.0	31,837	-1.3	28,788	-10
Orpington	273,713	249,401	-9.0	265,623	6.5	233,988	-12
Penge	38,560	39,661	3.0	36,236	-8.6	33,187	-8
Petts Wood	135,546	129,473	-4.5	120,171	-7.2	102,598	-15
Shortlands	52,976	49,465	-6.5	46,728	-5.5	41,196	-12
Southborough	68,203	63,531	-7.0	57,243	-9.9	54,583	-5
St Pauls Cray	42,148	40,369	-4.0	34,725	-14.0	29,149	-16
West Wickham	151,411	145,897	-4.0	134,743	-7.6	118,671	-12
<b>Total</b>	<b>1,860,418</b>	<b>1,781,039</b>	<b>-4.0</b>	<b>1,685,653</b>	<b>-7.0</b>	<b>1,496,839</b>	<b>-11.0</b>

Visits	2009-10	2010-11	%change	2011-12	%change	2012-13	%change
Anerley	63,922	58,371	-8.6	53,572	-8.2	54,107	1
Beckenham	204,014	200,148	-2.0	199,063	-0.5	177,477	-11
Biggin Hill	91,284	209,577	130.0	244,853	16.8	247,462	1
Burnt Ash	32,375	30,794	-5.0	28,432	-7.7	28,221	-1
Central	640,172	603,270	-5.5	551,873	-8.5	475,449	-14
Chislehurst	100,354	97,700	-2.5	93,525	-4.3	88,440	-5
Hayes	38,207	36,596	-4.0	35,718	-2.4	33,236	-7
Mobile Library	27,775	28,757	3.5	23,886	-16.9	20,561	-14
Mottingham	46,955	45,015	-4.0	46,729	3.8	41,870	-10
Orpington	199,028	186,977	-6.0	320,772	71.6	319,180	-0.5
Penge	99,386	95,257	-4.0	88,324	-7.3	81,902	-7
Petts Wood	112,214	116,731	4.0	109,687	-6.0	102,727	-6
Shortlands	43,238	42,019	-3.0	38,365	-8.7	34,706	-12
Southborough	34,407	33,620	-2.3	34,684	3.2	33,662	-3
St Pauls Cray	59,856	55,339	-7.5	47,942	-13.4	44,121	-8
West Wickham	149,386	149,629	0.2	140,536	-6.1	130,344	-7
<b>Total</b>	<b>1,942,573</b>	<b>1,989,800</b>	<b>2.0</b>	<b>2,057,961</b>	<b>3.4</b>	<b>1,913,465</b>	<b>-7.0</b>

**Appendix 2 – Question 5**

<b>Total Planning Applications Received</b>	
<b>Financial Year</b>	<b>Total Number of Applications</b>
<b>FY201-11</b>	3,074
<b>FY2011-12</b>	3,163
<b>FY 2012-13</b>	3,173
<b>FY 2013-14</b> (to 28 June)	777

<b>Total Applications Received by Method of Determination</b>						
<b>Financial Year</b>	<b>Delegated Decisions</b>		<b>Committee Decisions</b>		<b>Totals</b>	
	Permitted	Refused	Permitted	Refused	Permitted	Refused
<b>FY201-11</b>	2,081	452	266	109	2,533	375
<b>FY2011-12</b>	2,053	619	254	101	2,672	355
<b>FY2012-13</b>	1,972	667	231	117	2,649	348
<b>FY 2013-14</b> (to 28 June)	563	169	49	33	732	82

<b>Total Planning Applications Decided</b>			
<b>Financial Year</b>	<b>Allowed</b>	<b>Dismissed</b>	<b>Totals</b>
<b>FY2010-11</b>	93	144	237
<b>FY2011-12</b>	84	116	200
<b>FY 2012-13</b>	91	144	235
<b>FY 2013-14</b> (to 28 June)	30	29	59