

COUNCIL MEETING

14th APRIL 2014

QUESTIONS FROM MEMBERS OF THE PUBLIC

(1) From John D Bailey, UK Independence Party Candidate for the Bromley Common & Keston Ward, to the Portfolio Holder for Resources

Can the Council say how many empty residential properties, and how many empty commercial properties there are in the Borough of Bromley at this time? Have the Council any plans to fine property owners (as in Islington) who allow properties to remain empty beyond say, three months?

Reply:

As at the 7 April 2014, the Authority's Council Tax records indicate 2,379 residential properties as being empty, 576 of which are designated as second homes. Business Rates records show 752 commercial properties as being empty.

From the 1 April 2013 local authorities were empowered to decide the level of council tax discount to be awarded on classes of property where the rate was previously set nationally.

At the 28 November 2012 meeting of the Executive, Members decided the discount to be applied in respect of second homes and empty homes should be set at 0%.

The changes to Council Tax effective from April 2013 also allowed local authorities to impose an empty homes premium once a property had been empty for 2 years. In respect of these properties, Council Tax liability could be set at 150%. The meeting of the 28th November decided that a premium should not be applied and there are no plans for this to be introduced in the future.

Local Authorities do not possess similar powers in respect of commercial properties. However, the Authority has commenced administering the Governments "reoccupation relief" a national scheme which came into effect on the 01 April 2014. The relief applies to ratepayers moving into properties previously used for retail purposes but empty for 12 months or more immediately prior to their occupation. Under this scheme the relief available for each property is 50% of the business rates liability for a period of up to 18 months.

(2) From Martin Curry to the Environment Portfolio Holder

Some time ago, the pedestrian crossing markings were removed from Juglans Rd. The PHYSICAL crossing features, gap in barrier and embossed paving stones were NOT removed. The entrance to Juglans road is much wider than the road itself so cars sweep in, in many cases ignoring the road markings. This is a danger to pedestrians. Will you please either restore the crossing and/or ADD a traffic island to the middle of the crossing?"

Reply:

I am aware that the junction has been investigated previously following requests for a central traffic island or for a crossing to be restored.

The Traffic Engineering team have however reiterated once again that they hold concerns regarding the impact either might have on larger vehicles turning in and out of this junction.

Whilst the mouth of the junction is quite wide, visibility is good for drivers and pedestrians. The appropriate tactile paving is provided at the informal crossing point and the road markings and surfacing are clear.

The view is therefore maintained that no alterations are required at this time, albeit the situation will continue to be closely monitored in light of your expressed concerns.

(3) From Michael McHale to the Resources Portfolio Holder

The Council publishes "A list of categories of Council Tax discounts and exemptions" on it's own web site of which item T refers to an "unoccupied dwelling which forms part of a property" is entitled to exemption. Why has this exemption not be granted to 5 Elm Grove, Orpington?

Reply:

The information contained on the Authority's web site is a summary as to when discounts and exemptions might apply. In many cases the rules and requirements pertaining to the particular discount/exemption are more complex than the summary indicates and further guidance is required.

In respect of the property referred to in the question, Mr McHale has now been forwarded notification that a "Class T" exemption has been applied.

(4) From Colin Willetts, Governor, Kemnal Technology College to the Leader of the Council

Dear Leader, thank you for your reply 2/4/14, if the owner of the land incorporating the Waste4Fuel transfer station were to offer the land 'gratis' to the Council/EA on the understanding the site would be cleared by either/both EA/LBB would the Council accept this offer?

Reply:

Thank you Mr Willetts for your question.

Firstly, I would say that there is nobody, for the sake of local residents, who wants to see this sorry situation resolved more than me.

Secondly, I again applaud the resolve of local ward councillors, across the political divide, who have been working tirelessly on behalf of residents without choosing to make this a political issue.

And finally with regard to your hypothetical question I am afraid it would be complete madness for the Council to disclose its position ahead of any negotiations with a third party, suffice it to say we are determined to bring this saga to a successful and speedy conclusion.

(5) From Angela Wilkins, Crystal Palace Ward resident, to the Leader of the Council

(As residents of Crystal Palace ward, we welcome the potential of investment that might bring jobs and economic regeneration to the north of the Borough. We feel however that, given the potential scale of the proposals from ZhongRong Group, the public consultations undertaken to date have failed both in terms of their penetration of the local community and in the very scant level of information provided to the public.)

What safeguards are Bromley Council proposing to ensure that any disposal of land at Crystal Palace Park is genuinely in the public interest, is at a true market rate, and via a process that is transparent and fully compliant with current legislation?

Reply:

The Council has a duty under Section 123 of the 1972 Local Government Act to secure the best consideration reasonably obtainable when it disposes of land (other than on a lease of 7 years or less) unless it has the benefit of an express or general consent of the Secretary of State. In the case of the proposals for Crystal Palace, the Council has appointed a valuation expert to undertake the valuations required to ensure that this obligation is met. The consultant was appointed following a selection process to ensure that he has the relevant expertise and experience to undertake this commission. The Council has also sought the advice of Leading Counsel to ensure that it is following the correct process in all its dealings. Authority to enter into any binding agreements with the prospective developer will have to be sought from Council Members and will therefore be reported to a public meeting in the normal way although some elements of the transaction will be commercially sensitive and will therefore be included in a Part II report. If acceptable terms can be agreed with the prospective developer and if Council Members give authority to proceed, the Council's position will be safeguarded through the legal documentation. The Council has appointed suitably experienced legal advisors to provide advice in the preparation of the necessary documentation.

(6) From Angela Wilkins, Crystal Palace Ward resident, to the Leader of the Council

What plans are in place for a true and comprehensive public consultation once the developer's plans are more developed and informed?

Reply:

Where a proposal is of a very large scale I would generally encourage developers to carry out public consultation at an early and formative stage.

In my view, the developer needs to consult with the local community before submitting formal planning or other applications.

The statutory consultation and publicity requirements of the planning process will be met upon receipt of a planning application.

(7) From Richard Williams, Crystal Palace Ward resident, to the Leader of the Council

What guarantees can the Council give as regards crucially important traffic and environmental impact assessments and when will they be undertaken?

Reply:

The developer will need to submit traffic and environmental impact assessments for approval as part of the formal planning process.

(8) From Richard Williams, Crystal Palace Ward resident, to the Leader of the Council

Is there any truth in the rumour that the Council and the Mayor of London are attempting to secure a change in the law via the Queen's Speech this autumn to allow for the sale of land in the park?

Reply:

No we are not and we understand that the Mayor of London isn't either.

(9) From Susan Sulis, Secretary, Community Care Protection Group to the Resources Portfolio Holder

BROMLEY WELFARE FUND PAYMENTS

- (a) What was the allocation for 2013/14 for the Fund?
- (b) What is the allocation for 2014/15?
- (c) What was the total monies paid out?
- (d) Who has the Contract to administer the Fund?
- (e) What is the annual value of the Contract?
- (f) Is the cost of the administration taken from the fund allocation?

Reply:

- (a) £819,535
- (b) £819,535
- (c) The provisional figure for 2013/14 is £441,887.37

- (d) Northgate Public Services in partnership with the Family Fund Trust
- (e) Set-up costs of £57,365
£75,218 for 2013/14
£71,470 for 2014/15
- (f) No, this is funded separately

(10) From Susan Sulis, Secretary, Community Care Protection Group, to the ResourcesPortfolio Holder

- (a) How many applications for “General Living Expenses” were received, and how many were approved?
- (b) What was the total funding for the G.L.E. category?
- (c) Are vulnerable residents in poverty allowed to make more than one application?
- (d) How is the scheme monitored?
- (e) How are residents made aware of the scheme, and where is it advertised?

Reply:

- (a) 714 applications were made of which 285 were approved.
- (b) The total funding was not assigned to specific categories
- (c) Yes, 3 applications are permitted in each year, with additional awards being considered in exceptional circumstances
- (d) The administration and decision making is monitored by the Authority’s Revenues and Benefits Team.
- (e) Information is provided on the London Borough of Bromley website

Posters/Leaflets have been distributed to Libraries, Jobcentre Plus and other stakeholders including the Citizens Advice Bureau, Registered Social Landlords, Food Banks and the St Giles & St Mungo Trusts.

Awareness sessions have also been provided to internal departments engaging with vulnerable clients

(11) From Susan Sulis, Secretary, Community Care Protection Group, to the Resources Portfolio Holder

BROMLEY BOROUGH FOODBANK – CHARGING OF A £8,400 P.A. COMMERCIAL RENT BY THE COUNCIL FOR THE USE OF THE DISUSED SHOP AT 111 COTMANDENE CRESCENT AS A FOOD DISTRIBUTION CENTRE

- (a) Why does the Council not take into account the differences between the operation of the Foodbank, and other charities, which derive an income by using shops to sell donated goods, or receive payment from the Council under contracts, to provide essential services?
- (b) Please explain the justification for this decision.

Reply:

After taking into account differences in size, location, and condition etc of its property and market conditions, the Council aims to charge all its tenants the appropriate market rent applicable at the time of letting, irrespective of the proposed use for the shop unit. The Council does not provide support for charitable organisations through hidden property subsidies, such as preferential rents.

This policy makes property transactions transparent and facilitates consistent and good estate management of the Council's shopping parades.