

COUNCIL MEETING

19th OCTOBER 2015

(A) QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

(1) From David Clapham to the Portfolio Holder for Renewal and Recreation

Have Councillors been made aware that FW have submitted a QC legal opinion stating that the concept of the 'lesser evil' used by both BHAL and the Council to promote extending the hours was 'misconceived' and that this may make the decision of 25th March unsound?

Reply (by the Leader of the Council):

Officers have exchanged correspondence with Richard Buxton (who we understand are your lawyers) advising them that the points made in their letter were not accurate. The report to the meeting on 25th March did not canvas the "lesser evil" option and neither does the report published on Friday and on this basis I cannot agree the proposition.

I would say in answering the question of whether Councillors are aware of the legal opinion, I cannot be sure that every Councillor knows about the points you want to make – but they are aware now.

Supplementary Question:

Mr Clapham pointed out that the legal opinion was separate from the letter.

Reply:

Cllr Carr stated that he had not seen the detail of the legal opinion from Flightpath Watch's lawyers, but he would be soon.

(2) From David Clapham to the Portfolio Holder for Renewal and Recreation

Have Councillors been made aware that the acoustic and aviation expert appointed by FW has confirmed that the noise measures recommended in the report by the Council's acoustic consultant are at best not stronger than measures already contained in the Lease?

Reply (by the Leader of the Council):

In considering the BHAL proposal to vary hours, the Council must seek to ensure that reasonable noise mitigation is in place and naturally the Council will be seeking, where possible, to strengthen current arrangements. The Council will be considering these matters at the Council meeting and Executive meeting in November. I have not seen any expert report that you may have commissioned, so I cannot comment on the validity of its conclusions.

I cannot be sure that all Councillors have been made aware, but I believe that most if not all have.

Supplementary Question:

To make the point that only eight of the eighteen recommendations from the expert in the report issued on Friday are acceptable, with the remainder “subject to”. This leaves a lot of work to be done – are the Council going to keep us informed of the detail sitting behind the remaining ten points.

Reply:

Hopefully you will agree that I have tried to be as transparent as I possibly can be. If there is information that we can share we will share it with all residents who have an interest.

(3) From David Clapham to the Portfolio Holder for Renewal and Recreation

Are Councillors aware that information provided under the FOIA has revealed potential irregularities in the way the consultation results were arrived at that we have needed to inform the Council’s senior solicitor that the matter is being investigated?

Reply (by the Leader of the Council):

Flightpath Watch has written to the Council’s Senior Solicitor but has given no detail of their findings following their “preliminary assessment” of the data they received. The Council will carefully examine any subsequent submitted detail, should this arise, commenting and explaining as appropriate. To avoid wider resident concern, as a guiding principle, the Council will always be as transparent as possible but for the avoidance of doubt, personal data is closely guarded and therefore is not disclosed in this or other FOI responses.

Supplementary Question:

I note and respect Councillor Carr’s statement. We are looking into non-personal data and will report to the Council once our investigation is complete.

(4) From Richard Gibbons to the Portfolio Holder for Care Services

65% of Bromley's population is either overweight or obese - the third highest prevalence of excess weight in London. Is it mere coincidence that Bromley is also ranked 3rd for car ownership and car use, and how are members collaborating to tackle growing obesity issues at a time of trimming the fat financially?

Sources

LBB Health & Wellbeing Board Obesity Action Plan 2015/16

GLA Health Impacts of Cars in London, September 2015

Reply:

Both the causes of and the possible solutions to obesity are many and varied. The Health and Wellbeing Board has set up a sub-group to address obesity in the borough as it is one of the Health & Wellbeing Strategy priorities. This sub-group is being chaired very well by Councillor Angela Page and I would recommend that he has a look at the work they have already done. The work of this sub-group includes a

Healthy Weight Forum which includes a wide range of stakeholders both internal and external to the council who have the potential to impact on this issue. The Healthy Weight Forum includes representatives from Transport Planning and from Planning as well as health services, leisure services, Housing Association and Public Health. The promotion of active transport is one key element of the Healthy Weight Pathway being developed through the Forum.

Supplementary Question:

The answer covers the health view on the matter but it does not address active travel which is well documented worldwide as one of the best ways of dealing with obesity. I would ask what measures are being taken to promote active travel in the borough.

Reply:

If cycling is one of the issues, I am sure that the Council is doing much to support cycling in the borough. I am sure that Cllr Smith and the Environment Department will furnish you with full details of what the Council is already doing to support cycling in the borough.

Additional Supplementary Question:

Councillor Simon Fawthrop asked whether any background work had been done on the levels of employment in this borough, one of the highest in London, and the hours worked by Members and residents, also the highest in London, and whether that could be one of the factors impacting on obesity. Also, would he agree with me that we should not be judgemental towards those who may be overweight?

Reply:

Certainly, people who work hard do not have an obesity problem in the main, and we are researching those issues, but I think cycling may reduce weight more than working.

(B) QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY

(1) From Hazel Waters to the Portfolio Holder for Renewal and Recreation

I would like to know on what financial basis Bromley Council are suggesting outsourcing the control of the library service to private enterprise. What are the projected cost/efficiency savings, and how are these to be achieved?

Reply:

A comprehensive report has been prepared for the Renewal and Recreation Policy Development and Scrutiny Committee on the 27th October 2015, following which the matter will be considered by a meeting of the Executive Committee on the 9th November 2015. Subject to the outcome of these meetings, it is proposed that a formal procurement process is commenced jointly with the London Borough of Bexley. It is intended that the results of this procurement process, including the detail of any savings and service delivery proposals will be reported back to members in the autumn of 2016.