

COUNCIL MEETING

19th OCTOBER 2015

QUESTIONS FOR ORAL REPLY FROM MEMBERS OF THE COUNCIL

1. From Cllr Russell Mellor to the Chairman of Development Control Committee

Can the Chairman advise me as to why the application in respect of No: 32 Church Avenue, No: 15/01541 was 'pulled' from the Planning Sub-Committee agenda when due for determination resulting in the proposal being referred to the Planning Inspectorate?

Reply:

This planning application was submitted to the agenda whilst still awaiting key consultee responses, which had unfortunately not been received by the date of the meeting. The application was therefore withdrawn from the agenda to allow these to be received and considered prior to determination of the application. Unfortunately this meant the application passed its target date and the applicant chose to appeal against non-determination.

Supplementary Question:

Councillor Mellor thanked Councillor Dean and stated that he hoped the application would be refused.

Reply:

Councillor Dean stated that he shared Councillor Mellor's views on the application.

2. From Cllr Michael Tickner to the Portfolio Holder for the Environment

I have been told by your traffic engineers that mini roundabouts may only be installed where a junction has 3 significant roads meeting. Is this correct?

Reply:

I would need to understand the content and context of the conversation Cllr Tickner alludes to, before answering the question as set with a yes or no response.

There are a number of examples across the Borough where mini-roundabouts have been installed at 4-arm junctions; what it is true to say, is that professionally trained Traffic Engineers consistently advise us all, that it is far safer to implement a mini-roundabout at a 3-arm, rather than at a 4-arm junction.

Mini-roundabouts are principally installed as a way of reducing the severity of collisions at a junction. Across both London and the UK as a whole, we are advised

that the frequency of collisions at 4-arm mini-roundabouts is higher than at those with 3-arms.

Therefore, when considering using a roundabout to reduce the number of collisions at an accident black-spot, it may be that a 4-arm mini-roundabout will not be able to achieve the safety improvements being sought.

Cllr Tickner may recall that in 2011 a study was conducted to consider the accident prevention value of adding mini-roundabouts at two junctions in Southend Road in his Ward – one at Brackley Road and one at Park Road/Foxgrove Road. The independent safety audits of the designs raised some significant concerns about the 4-arm proposal, which could not therefore be recommended by the engineers, whereas the 3-arm mini-roundabout at Brackley Road was recommended and has subsequently installed.

In summary, it is not that 4-arm mini-roundabouts cannot be considered, it is that they are not so likely to be able to reduce a collision problem at a 4-arm junction as a mini-roundabout is at a 3 arm junction, and could even make matters worse.

Supplementary Question:

Councillor Tickner asked how the recently installed 4-arm mini roundabout at the junction of Beckenham Road and Hayne Road, which was a major intersection on an A road, could be explained, and who was responsible for installing it – I realise it may be TfL.

Reply:

It is nothing to do with TfL. The simple reason is that it passed its safety audit whereas the one at Park Road/Foxgrove Road/Southend Road failed its safety audit. Engineers will not recommend schemes that fail safety audits.

3. From Cllr Angela Wilkins to the Portfolio Holder for Resources

The meeting of E&R PDS in July was extremely critical of the levels of service reported by Liberata on both the Revenue & Benefits and the Customer Service contracts.

Is the Portfolio Holder aware of DWP data on housing benefit administration which shows that in 2014/15, LB Bromley was ranked 380th out of 382 local authorities for the length of time taken to process new claims and 357th equal for processing changes to circumstance? If not, why not? If so, is he still of the view that Liberata's performance is improving and can he please give the figures for the first quarter of 2015/16 to support this assertion?

Reply:

Whilst the league table position cited in the question might not be totally correct given the omission of some Authority's performance figures as a result of missing/incomplete data or data of insufficient quality, Liberata have acknowledged that the service provided in 2014/15 was very disappointing, in these two areas, and I

agree, particularly given Liberata's strong performance in the years since assuming responsibility for the service (2002).

The poor performance of the Benefits Section in respect of claim processing was reported to Members of the E&R PDS in the meetings of the 4th February 2015 and 9th July 2015.

Following pursuance through the contractual escalation process, I together with senior managers of the Council, urgently summoned a series of meetings with Liberata's Chief Executive and his service managers. These meetings were held in Pendle, in Sheffield and here. At this meeting, we reiterated our displeasure at the service being provided and demanded that measures be taken to bring about significant improvements.

A recovery plan was agreed and put in place, based on Liberata employing extra resources at no additional cost to the Council. However, it was acknowledged that given the nature of benefit administration, it would not be possible to bring about an immediate reduction in the average number of days to process a claim. The final quarter of 2014/15 showed a significant improvement in the speed of processing; however, it is accepted, as in the case for all Authorities, the change of circumstances indicator was distorted by the annual uprating of claims.

I am pleased to advise that improvement has continued this financial year and the average processing times for the first 6 months are as follows:

| | |
|-------------------------|---------|
| New Claims | 19 days |
| Change of Circumstances | 10 days |

Supplementary Question:

It is fairly standard that the tables do not have all of the data, and the DWP is clear about that, but what I do pay attention to is the figures for neighbouring authorities. In Bexley the figure for new claims to be processed for 2013/14 was 21 days, in Lewisham it was 14 days and in Bromley it was 28 days. I recognise that there has been improvement from Liberata more recently. I would like to ask the Portfolio Holder whether this justifies an apology to those claimants in Bromley who had to wait anything up to twice as long as claimants in other boroughs.

Reply:

No, it is not acceptable, and that is why we took action. We are now at 19 days for new claims and change of circumstances 10 days, so we are now improved against the comparators you used. But if you ask me if I am satisfied at the performance during that period of last year for those two particular areas the answer is no and that is why we did something about it.

4. From Cllr Ian Dunn to the Portfolio Holder for Resources

Can the portfolio holder provide the number of Collection Orders obtained for bailiffs to pursue Council Tax and Business Rates arrears in 2014/15, the value of each type of debt and the percentages recovered?

Reply:

In the financial year 2014/15, Council Tax 11,348 Liability Orders to the value of £7,842,000 were passed to enforcement agents. In respect of Business Rates, 445 Liability Orders to the value of £2,196,000 were referred to enforcement agents. It is not possible to advise as to the amount recovered by enforcement agents in respect of the orders cited earlier. However, the sum received from enforcement agents in 2014/15 was as follows:

| | |
|----------------|------------|
| Council Tax | £2,325,000 |
| Business Rates | £992,000 |

These sums include debt recovered in respect of previous years.

In 2014/15 the percentage of moneys received from the enforcement agents when compared to the sum sent in the same period was 29.6% for Council Tax and 45.2% for Business Rates. I am aware that giving out numbers like this is quite difficult and I am aware that you asked a related question for written answer, but I am happy to try to deal with a supplementary question or to meet with you outside the Chamber.

Supplementary Question:

How does the Council ensure that the way that our contractor and their bailiffs are pursuing our debt is being done in the most cost effective way and they are not just sending out bailiffs on visits to residents and businesses and charging them for the privilege.

Reply:

There are written procedures on the way they operate – you may have seen them and if not I will share them with you. They can only really be guidance and there has to be case by case consideration. There are very clearly some people who are just not paying who can pay - they need to be pressured, appropriately, to meet their debts. There are cases where there is genuine hardship and those cases we will deal with with a degree of sensitivity and assist those people. What we do find with a lot of people who come forward with debts is that when you start digging under the surface there are a lot of other issues, like housing, that we can assist with, and we do take a sympathetic approach in those cases. Going back to the original point, where somebody deliberately avoids paying their dues to the Council it has to be accepted that it is totally unfair to place that burden on other taxpayers. I would be happy to meet with you and the people concerned to see if you can be satisfied by what they say to you.

5. From Cllr Kathy Bance to the Portfolio Holder for Education

Has LBB revised their admission guidelines in line with the Government Guidelines, to allow parents of Summer-born children to delay their schooling by one year and then allow them to start in reception and receive the seven years of primary schooling in line with other UK children?

Reply:

The government has recently released information on their proposal to change the right of parents of summer born children to delay their start in reception until the Autumn term after they are 5. However, this is not yet mandatory and is subject to a consultation period, following which a decision will be made by the government as to when this will take effect. Until then, parents of summer born children may request that their child is admitted the following year outside of his or her normal age range into Reception Year instead of Year 1. Again, however, there is no automatic right to this. The relevant admission authority will make a decision, having taken into account the circumstances of each case and whether or not it is considered to be in the best interests of the child concerned. This will include taking into account the parent's views; information about the medical history, about the child's academic, social and emotional development; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely.

Supplementary Question:

Councillor Bance asked for clarification of whether the Council was saying "no" until the Government makes a final decision.

Reply:

At the moment our processes are published and are as they were at the Education PDS Committee meeting in February. We have had cases in the past where parents have requested it, and it is up to the relevant admissions authority, so there are decisions made on a case by case basis. But we are expecting there to be some governmental change and we are having conversations about that. What is really important, and it is recognised in the question, is the concept of parental choice. The parents know what is in the best interests for the children and they are the ones that make the decision. That premise of best interest axiomatically extends to other areas of parental interest, such as school choice, be that the successful free school academies or any potential discussions we will be having around grammar schools later. We are waiting for the information to come from government, we are looking at cases on a case by case basis but we absolutely agree with you that parents are in the best place to choose.

6. From Cllr Kevin Brooks to the Portfolio Holder for Public Protection and Safety

Following Bromley's recent reclassification as an emerging gangs borough we need to engage with our youths to break the cycle of gangs. Has LBB any plans to step up support for youth based activities in Penge and Cator where the gangs are predominantly based?

Reply:

Bromley Council is tackling gangs in the borough and youth engagement in many ways. Preventing young people from joining gangs in the first place is key. To this end I will be funding a programme to be introduced into Bromley Schools which is founded on the principles of prevention, protection and partnership and has already been delivered to 460 schools across London. Lessons will be delivered to pupils in school years 6 through to 10 on topics such as the myths and realities of being in a

gang, gang associated sexual violence and knife crime. If successful the aim is to have this programme funded by the Bromley Safer Neighbourhood Board. Schools that we have targeted and have signed up to the Gangs School Programme so far are all in the north west of the borough. They are Harris Beckenham, Harris Bromley, Alexandra Junior, Marian Vian, St John's, St Anthony's, Stewart Fleming, Harris Primary Crystal Palace and James Dixon. Despite cost pressures on the Council, diversionary activities have been maintained and are run by the Bromley Youth Support Programme at our four youth hubs, one of which is in Anerley. Additionally, a mobile detached provision is held on a Wednesday evening in the Queen Adelaide Estate and the Penge High Street area. The Anerley Youth Centre, which is open during the day and the evening, runs targeted projects on crime and disorder, and they have held sessions on issues such as weapons, gangs, crime and consequences, personal responsibility, peer pressure, anti-social behaviour and community cohesion. We also have an ever growing number of young people engaged in the Bromley Youth Mentoring Programme, which is coordinated by the Bromley EBP. There are currently ten mentees from south east post codes, some of whom have links to gang activity. Numbers of mentees in the mentoring programme grow every year. The best diversionary activity is to find employment in an honest job. In August, a free jobs fair was organised in Penge by Bromley Council, Jobcentre Plus, Bromley College, Safer Bromley Partnership and the Princes Trust. The aim of the day was to attract and engage with hard to reach young people in the Penge area aged 16 to 25. As part of our Operation Crystal Programme we have focused on the emerging gang issue by targeting gang members and young people causing anti social behaviour with joint visits by Bromley Council and Police Officers. During our recent summer operations in Penge, Council officers, with the newly formed Police Gangs Team, knocked on every known gang member's door in Penge in the very early hours of the morning and strongly encouraged them to attend the jobs fair, which at the same time highlighted to them that we know who they are, and that we are keeping an eye on them.

Supplementary Question:

Councillor Brooks welcomed the actions set out – it sounded like there was a lot of work going on. However, I have been in meetings where Police reports have shown that youth crime is one of the crimes that has risen in Penge in 2015 – do you agree that the Council's plans to sell Snowden Close and deprive Penge of the Hub, the only volunteer youth centre, are counter-productive as a cost-saving measure.

Reply:

I do not agree with your comments. These are early days in the re-classification of our borough as an emerging gangs borough and we will continue to look at all strategies and options in order to keep youth diversionary activities going in Penge in various different forms.

7. From Cllr Vanessa Allen to the Leader of the Council

The refugee crisis in Europe continues with no end in sight, resulting in major hardship for many people who have fled their homes due to war and other issues such as persecution, whether in Syria, Sudan, Afghanistan or elsewhere. Please would the Leader update us on progress with the register which was proposed for Bromley, contact details, whether it is available on line, for coordination of home

owners, charities and other bodies such as churches, who may be offering to provide accommodation or other assistance for refugees?

Reply:

The Council has issued a statement applauding the Government's leadership and commitment on this issue and we are committed to assisting when and wherever possible. Over the last few weeks we have received a very limited response from organisations and individuals who might be prepared to offer assistance. At this stage I cannot add more, but I am able to inform Council that the Chief Executive will be meeting in very early November to consider the Government's guidance on this issue and how we might move forward. It is also extremely important to remind colleagues of the major pressures we and all local authorities are experiencing regarding homelessness which will limit our capacity to respond.

Supplementary Question:

A hundred and one years ago, Bromley welcomed several hundred Belgian refugees with offers of accommodation, and it would be good to think we have not lost our sense of compassion, so I would request that steps are taken where possible to encourage bodies to come forward, and to try to actively set up a register rather than wait for other people.

Reply:

I have a degree of sympathy with Cllr Allen and we will do what we can to assist people wherever and whenever possible.

8. From Cllr Russell Mellor to the Portfolio Holder for Renewal and Recreation

Can the Portfolio Holder inform as to the number of planning applications in the last Civic year which when presented to a Planning Sub-Committee have requested Members Views?

Reply:

In the last civic year, there were no planning applications requesting Member's views when presented to a planning sub-committee.

Supplementary Question:

Councillor Mellor enquired about proposals for including Members Views in all future planning applications.

Reply:

Recommendations are made by the planning officers. The planning officers are free to put a recommendation forward for Members Views if they so wish. My own view is that a professional, experienced planning officer should be able to make a recommendation one way or another on the planning information available to them.

Additional Supplementary Question:

Councillor Simon Fawthrop reminded the Chairman that the last meeting of the Development Control Committee was unanimous in its view that Members Views

should be made available and he stated that it seemed that the democratic will of this Council, and the will to set the policy, may be being thwarted by officers.

Reply:

I do not believe that the democratic position of the Council is being thwarted. The opportunity to put forward a recommendation of Members Views is there, and Development Control Committee at its last but one meeting endorsed that and that is still the case.

Additional Supplementary Question:

Councillor Tony Owen asked whether the Chairman accepted that although planning applications could be finely balanced, and therefore you are going to say yes or no, there was room for doubt and did he accept that having a dogmatic recommendation from officers in favour seriously compromised at appeal to the planning inspectorate and left the Council open to costs which it might not otherwise be open for.

Reply:

I accept that there are some very finely balanced planning applications. I still feel that the planning officer should be able to make a recommendation one way or another. The opportunity to recommend Members Views is there, but as far as the planning inspectorate is concerned, and I think we are talking about applications refused by our Council, if the reasons for refusal are legitimate grounds as determined by Members the Inspector will either agree or disagree with that view, but properly presented grounds of refusal should not result in us incurring costs. As far as I am aware, instances where we have incurred costs have been where the reasons for refusal have not been particularly substantial.

9. From Cllr Angela Wilkins to the Leader of the Council

The Local Government Transparency Code 2015 sets out “..to place more power into citizens’ hands to increase democratic accountability and make it easier for local people to contribute to the local decision making process and help shape public services. The code requires all (English) local authorities to publish the following information:

Quarterly:

- expenditure exceeding £500
- Government Procurement Card transactions
- procurement information

Annually

- local authority land
- social housing assets
- grants to voluntary, community and social enterprise organisations
- organisation chart
- trade union facility time
- parking account
- parking spaces

- senior salaries
- constitution
- pay multiple
- fraud

Can you please clarify on which of these requirements the Council is fully compliant? Where the Council is not complaint, please explain why not and by what date the Council will comply?

Reply:

The Council is fully compliant except for some technical procurement information for some contracts of between £5- £50,000. This will be remedied following the imminent completion of a new eProcurement system and the adoption of revised contract procedure rules and that should be complete by the end of December.

Supplementary Question:

There were a number of these items which I couldn't find – trade union facility time was one. Would you, in the spirit of the legislation, consider making the data more readily accessible to people who are less able to find it when it is hidden away.

Reply:

I am sure we would all want to be as transparent and clear as possible. If it practically possible I am sure officers will do everything they can to make it easy to access the information.

10. From Cllr Kathy Bance to the Portfolio Holder for Care Services

For many children living in temporary accommodation their school has been the one consistent in their lives. How successful are LBB being in housing people with school aged children into temporary accommodation within a reasonable distance from the child's schools?

Reply:

The Council seeks to secure temporary accommodation locally. However as the supply is extremely limited and insufficient to meet current demand, it has been necessary to procure accommodation outside of the local authority boundary to meet statutory duties. In the first instance this will be in surrounding boroughs with the search area sequentially extended as availability and demand requires.

In offering temporary accommodation, the Council will consider and does consider the suitability of each offer, taking into account the factors including size and location of the property, transport links and the availability of support networks in the area, health factors, education and employment. In terms of education specifically those households who have children with special educational needs or children at who are at a critical stage in their education such as close to taking public examinations will be given priority for in-borough placements. This means that the vast majority of such families are accommodated within the borough or nearby localities. Where this has not been possible, the Council works closely with the family to identify move-on accommodation in a suitable location as quickly as possible.

Supplementary Question:

Does the London Borough of Bromley have the staffing resources necessary to deal with the demands for urgent temporary housing requests in a timely manner so as not to add to the stress these families are facing?

Reply:

Our housing department works tremendously hard and currently they are working to maximum capacity and are able to cope with the problems that are presented to them.