

**COUNCIL MEETING**

**22 FEBRUARY 2016**

**QUESTIONS FOR ORAL REPLY FROM MEMBERS OF THE COUNCIL**

**1. From Cllr Tony Owen to the Chairman of Development Control Committee**

Why does 16/00192/FULL1, an application to put chairs and tables outside 5 Station Square Petts Wood, appear on the planning list?

**Reply:**

In this case, following a previous refusal (Ref:09/00616), planning permission was granted (Ref:10/00972) for the change of use of the unit from A1 (retail) to A3 (restaurant). The applicant then sought a non-material amendment to this permission (Ref: 10/00972/AMD) to allow outside seating and this was refused on the grounds that it will represent a material change of use and the applicant was advised that full planning permission would be required which will be dealt with on its own merits. This application has now been made.

**Supplementary Question:**

Cllr Owen asked what the Chairman saw as planning and what he saw as environmental services, because the Council granted licences for tables and chairs to go on forecourts.

**Reply:**

Rather than speculate I will get clarification from the Chief Planner and respond direct to Cllr Owen.

**2. From Cllr Angela Wilkins to the Care Services Portfolio Holder**

The Executive on 10<sup>th</sup> February approved recommendations contained in Report DR16/023 (Agenda Item 10) regarding works necessary to minimise what had been identified as a high risk of legionella at various Council properties, including Astley & Bertha James Day Centres, Melvin Hall and Duke's Youth Centre. Given that the "Risk Assessment and Water Hygiene Survey Reports" carried out at these properties identified a high risk of infection from legionella, is the Portfolio Holder confident that there will not be an outbreak of the disease at any of these centres and that their continued use is safe for the public?

When will the necessary works be carried out to these centres?

Given that the total cost of repairs to these properties is £152k, can the Portfolio Holder assure members that funding to support the existing uses of each of these four buildings is accounted for in the four year budget plans being proposed later this evening?

**Reply:**

I can confirm that the Council has a specialist Water Hygiene contractor engaged who is undertaking continuous monitoring of the systems within the sites, meeting all regulatory requirements.

With these continuing control measures in place, closure of the sites is not warranted and we have a good early warning system in place. The necessary works will be prioritised and scheduled in an orderly way.

Our services are continually developing to meet the assessed needs of the local population and to make the best use of the available resources, so it is difficult to give any unqualified assurance about the future funding of buildings or building based services.

**Supplementary Question:**

Cllr Wilkins asked whether there was any idea when the works would be carried out?

**Reply:**

Cllr Evans responded that the works would be done in an ordered and prioritised way but he did not have a timetable. He could let Cllr Wilkins have a timetable at some point in the future.

**3. From Cllr Kathy Bance to the Care Services Portfolio Holder**

Due to pressure on the supply of affordable homes, rising demand, and benefit cuts the London Borough of Bromley is on record as having the biggest increase in court evictions from rented properties outside central London, with an increase of 308% last year. Does the Portfolio Holder agree that the London Borough of Bromley does not seem to support a significant boost to housing supply as required by the National Planning Policy Framework, but is content to meet minimum requirements, and does not seek to address the needs of the people being affected by the evictions?

This leaves more of our vulnerable residents facing eviction and spending exceptionally long periods in temporary housing, with many of them being forced out of our Borough.

**Reply:**

The London Borough of Bromley has supported a significant boost to housing supply as required by the National Planning Policy Framework, from 500 per year in the past to 641 per year in the future as set out in the Council's draft Local Plan. The Council's performance on housing completions in previous years also shows that the results very often exceed the minimum.

The Council also works closely with developers and housing associations to secure the provision of 35% affordable housing units on all applicable sites. We are doing what we can as a Council to cope with the rising demand for affordable homes.

**Supplementary Question:**

Cllr Bance stated that there were at least four serious cases in her ward of housing benefit claims where the timeframe for decision and/or serious errors made by Liberata had been unacceptable. These families were under threat of eviction; what

could the Portfolio Holder do to ensure that Liberata adequately liaised with these landlords, as they had not done so to date.

**Reply:**

Councillor Evans asked Cllr Bance to let him have details of these cases and he would follow them up with the Department.

**(4) From Cllr Nicholas Bennett to the Resources Portfolio Holder**

What has been the cumulative percentage pay rise for Bromley staff since local pay and conditions was introduced and what would have been the cumulative percentage rise had Bromley adhered to the National Pay and Conditions?

**Reply:**

Since coming out of the national pay arrangement Bromley staff on non Management Grades they have received up to 4.6% pay increase whilst their Local Government colleagues have received up to 3.1% in the same period. If the recommended 1.2% pay award for 2016/17 is agreed by Full Council tonight it will be higher than the 1% being offered at the national level. More importantly, Bromley pay increases have been agreed in time, consistent with one of the main objectives of adopting a localised pay and conditions of employment framework.

Therefore, staff are better off by between £300 and £500 plus a £200 one-off payment. 356 of our staff have shared a third of a million pounds in merit payments addition to this.

**(5) From Cllr Lydia Buttinger to the Environment Portfolio Holder**

How does the Council propose to support the Big Lunch and Queens 90th Birthday celebrations this year?

**Reply:**

As recently as last week the Council wrote to every Residents Association and Friends group registered across the Borough, encouraging as many people as possible to join this unique celebration by holding Street parties across as many of our neighbourhoods as possible. You will hopefully be seeing this message replicated in this week's local press too.

To encourage as high a take up as possible, we have also announced that all associated road closure fees will be waived on this occasion, for applications received prior to 1<sup>st</sup> April.

I believe this initiative fits in extremely well with the Borough's well deserved reputation for community engagement and voluntary service and would therefore encourage everyone in this Chamber with an interest in such matters, which I trust includes every single one of us, to engage fully with their residents over coming weeks to ensure that this special day is long remembered for all the right reasons.

**(6) From Cllr Peter Fookes to the Care Services Portfolio Holder**

What is the rent that each of the day centres for senior citizens pay each year?

**Reply:**

The rents reflect the size and location of the individual premises.

Melvin Hall	£22,690 per annum
Bertha James	£70,135 per annum
Saxon Centre	£37,130 per annum
12A Croydon Rd, Beckenham	£13,800 per annum

**Supplementary Question:**

Councillor Fookes asked whether the Portfolio Holder thought it was fair that charities providing much needed services should pay commercial rents for hiring Council properties.

**Reply:**

Councillor Evans responded that he did. In the previous regime, the rent was often rolled up in the block purchases and grants that we made. However, two and a half years ago the providers were told, and did agree, that we would go into a situation where the Council did not provide block grants and book block places, but it would be done on an individual basis. At that time of re-negotiation, the rents were agreed and signed for by all of those organisations. We went as far as tapering the situation so that the immediate impact of the rents, and the difference of having individual placements paid for, was tapered down so that the organisations could more easily deal with the situation. It is important that these organisations stand on their own two feet. They provide a good service, but times change.

**(7) From Cllr Tony Owen to the Chairman of General Purposes and Licensing Committee**

What do you see as the future of Bromley Council's pension fund?

**Reply:**

There have been considerable changes in the local government pension world over the past few years and general updates are reported to the Pensions Investment Sub-Committee with the minutes reported to my General Purposes and Licensing Sub-Committee. There was also a recent Member seminar on 11<sup>th</sup> January that provided an update on the local government pension situation.

The latest proposal from Government is the requirement for the pooling of pension fund investments within three years to reduce fund management fees whilst administering authorities such as Bromley will still retain decisions on Investment strategy and asset allocation as well as retaining funding responsibilities for current and past deficit costs. Details of this were reported to Pensions Investment Sub-Committee on 11<sup>th</sup> February 2016 and a final decision on the investment pool will be made in the summer.

There have been press reports and comments from George Osborne about the use of local government pension funds to invest in infrastructure funds. Proposals to change the existing pension regulations could result in the Secretary of State directing to invest in particular areas including infrastructure. This Council would strongly oppose any such intervention by Government as this could potentially be detrimental to longer term investment returns but could also increase costs which would have to be met by the local council tax payer.

The Council's view is that the Local Government Pension Scheme is not an affordable and sustainable scheme. There were changes effective from 2014 which did not significantly improve the affordability of the scheme. We also consider that the current regulations result in the scheme having a detrimental impact on the Council's ability to transfer work to external providers. Our views have been expressed clearly to Government about the need for a fundamental review of the scheme to reduce the strain on pension funds, with resultant reductions in costs for council tax payers, whilst supporting the required transformation agenda.

Whilst retaining an administering authority role we would want to retain the freedom to invest in areas which benefit members of the pension fund and keep costs to council tax payers low. We would not want to be forced to invest in infrastructure.

I would hope that the need for fundamental changes to this national scheme to improve its affordability is addressed but there are no indications from Central Government at this time. That does not mean that further changes will not happen and we will continue to press for the required changes and to emphasise the importance of local investment decisions which have historically enabled Bromley to have one of the best performing pension funds (our solvency level is above average and our medium and longer term investment returns are in the top quartile of the local authority universe).

**Supplementary Question:**

Given that we have changes to contracting out rates, talk of the Chancellor using our pension fund as a sovereign wealth fund, and there's also talk of the tax-free lump sum being abolished and a flat rate tax being introduced, what is he going to do to protect our staff pensions from the kleptomaniac tendencies of the Chancellor?

**Reply:**

Obviously the Pensions Investment Sub-Committee will look at these issues and come to their decisions. We have made our position very clear that we do not approve of the pension funds being robbed by the Chancellor and being told what we have got to spend it on. We believe that locally we are the best at making decisions that affect our employees and we want to be able to continue to do that.

**(8) From Cllr Angela Wilkins to the Renewal & Recreation Portfolio Holder**

What action is the Council taking to commemorate the life and achievements of the late David Bowie and in particular his connections with the Borough?

**Reply:**

The Portfolio Holder stated that he was not particularly familiar with David Bowie – he was not there between Beethoven and Brahms in his record collection. However, he understood that he was worthy of commemorating.

The Renewal team is currently considering various proposals for a memorial to commemorate the life and achievements of David Bowie within the Beckenham Town Centre Improvement Scheme and these proposals will ultimately be put before the stakeholders of the Beckenham Town Centre Working Group for consideration before being implemented as part of the programme.

The Council is also working Chris O'Shaughnessy of the Penge Town Team towards the production of a heritage trail and the implementation of pavement mounted

heritage plaques in Penge Town Centre. One of these plaques, which is proposed to be located in Arpley Square will commemorate Mr Bowie with a reference to his quote: 'You can walk around in New York while you sleep in Penge'. Whether that is a compliment to New York or Penge is unclear.

**Supplementary Question:**

Cllr Wilkins stated that she would be happy to adopt either one of two David Bowie songs as the Labour Group's theme tune – "Rebel Rebel" or "Suffragette City." Given the Executive's desire to privatise all possible services would the Portfolio Holder be happy to adopt "The Man Who Sold the World" or would he have a better suggestion?

**Reply:**

The Portfolio Holder stated that he would bow to Cllr Wilkin's superior knowledge of the music of David Bowie as he was not an expert.

**Additional Supplementary Question:**

Cllr Simon Fawthrop commented that it did not matter as long the Council did not end up as "The Laughing Gnome."

**Additional Supplementary Question:**

Cllr Julian Benington reminded Members that David Bowie's first public appearance as "David Jones and the Konrads" was in the WI Hall in Aperfield Road in Biggin Hill. If we are doing a trail, maybe it could be made a long-distance trail to Biggin Hill as well as Beckenham and Penge?

**Additional Supplementary Question:**

Cllr Tony Owen asked whether the Portfolio Holder was aware that a plaque for David Bowie was on the agenda for the old General Purposes Committee some ten or fifteen years ago? He had proposed him and Will Wyman every year, unfortunately they were not allowed as they were not dead. He argued that it would be nicer to change the plaque rules so that we could honour people while they were alive. Having not got his way with a plaque for Bill Wyman and David Bowie, the best he could achieve was a plaque for Thomas Crapper.

**(9) From Cllr Nicholas Bennett to the Environment Portfolio Holder**

If he will make a statement on the latest position regarding the plans by TfL for the extension of the Bakerloo Line from the Elephant and Castle and the Council's proposal for transport links from Bromley to east London.

**Reply:**

As many will by now be aware, TfL issued a press release in early December which I have asked to be tabled this evening (see [appendix 1.](#))

Fundamentally, this represents very good news on one level for Bromley residents, given the extra travel options this new connection will provide effectively on our Borough's doorstep.

As soon as the Mayoral Elections are completed in early May, the Council intends to re-open our conversations with whoever emerges victorious from that process, to resurrect our enduring and as yet sadly still unanswered question concerning better rail or light rail connectivity to Bromley Town Centre.

**Supplementary Question:**

Cllr Bennett asked whether the Portfolio Holder welcomed that the extension from Lewisham to Hayes appeared to be on the back burner and it would be more sensible that we concentrate any public money that there is on the extension to East London. Will he, when he is talking to the new Mayor after May not only push the case for an extension to the DLR, but if that is seen to be too expensive, the less expensive option of the overground extension from New Cross to Bromley.

**Reply:**

The Portfolio Holder stated that this point had been spoken of before. He would personally prefer the DLR, but if that was deemed too expensive the loop from New Cross would be the perfect substitute.

**(10) From Cllr Peter Fookes to the Care Services Portfolio Holder**

Who was actually consulted on the proposal to charge clients of day centres £15 a day in transport costs?

**Reply:**

In short, the answer is all transport users. A report with the proposed changes to transport to day centres was presented to the Council's Care Services PDS on 12/1/16, which also sought agreement for us to engage with our transport users. The report outlining the feedback from the engagement, which ends on 25<sup>th</sup> February, will go to Care Services PDS on the 10th March 2016, after which a decision will be made.

In the engagement, we sent letters to all our transport users, and hand delivered them to day centres used by our LD and Older People services.

**Supplementary Question:**

Cllr Fookes asked whether, given that most people could probably get a cab for less than £15 a day, was the Council effectively saying to people do not bother us and forget about us providing any transport?

**Reply:**

In terms of who uses the service, I am minded that when we make a decision it will be inside our policy – that is, it will be means tested and that therefore it will not cost the full amount to everyone. If people prefer to go by taxi then fine. One of our driving issues is to increase independence and choice and if their choice is to use a taxi then that is fine.

**(11) From Cllr Nicholas Bennett to the Chairman of the General Purposes and Licensing Committee**

(i) How many Member appeal hearing decisions (including non-employment appeal hearings) have reversed a decision by a Chief Officer in the past 10 years?

(ii) How many employment cases have been lost by the Council at Employment Tribunals in the same period?

**Reply:**

(i) Only 1 grievance appeal has been upheld by Members. No disciplinary or sickness dismissal appeals have been upheld by Members in the same period.

(ii) The Council has never lost any individual tribunal cases in respect of the above employment processes or discrimination cases in the same period.

**Supplementary Question:**

Cllr Bennett asked, as the appeal to Members was the third stage, how much did each appeal cost?

**Reply:**

The Chairman responded that it was roughly £3,000.

**(12) From Cllr Peter Fookes to the Care Services Portfolio Holder**

What is he going to do to stop day centres from closing?

**Reply:**

The Council's role is to ensure that there is a sustainable and diverse range of care and support providers in the Borough to ensure quality, choice and cost-effective outcomes for people who need care and support. The demand for particular services is regulated by the choices people make and the outcomes they are seeking. If organisations do wish to withdraw from providing services the Council works closely with them to minimise the impact of any reduction in supply in terms of timing and choice in the context of the overall supply and choice available.

I certainly value the work done in the Day Centres, and Cllr Fookes has done sterling work in terms of Melvyn Hall. However, times change and the choices made by individuals change. We are keen to help Day Centres to develop to meet these new challenges, and we are doing just this.

**Supplementary Question:**

Cllr Fookes stated that, as Cllr Evans was aware, there had been meetings held behind the scenes with each of the organisations running the three main day centres, and the reality was that, because of the financial situation, each of them was already on their knees and probably closing soon. In effect, you have got your way, but I was hoping that there might be some kind of hope for the Day Centres because they provide fantastic service, mainly from volunteers. I am very disappointed in Cllr Evans because a lot of people in this borough are going to be very upset because basically he has abdicated this responsibility.

**Reply:**

The Portfolio Holder responded that it was correct that the Council had been talking to the Day Centres to encourage them in their role. It is all about choice, and things that have been going successfully for years and years are sometimes a little outmoded. The situation in Bromley is that the people who wish to go to Day Centres are a very tiny minority in the age range of people who are qualified to do that. We will work and continue to work to sustain the day centres as far as we can but they must stand on their own two feet.



**QUESTION 9 – TFL PRESS RELEASE**

PN-368

17 December 2015

Bakerloo line extension to radically improve transport links in south London by 2030, say Mayor and TfL

- Extension to Lewisham via Old Kent Road could be open by 2030 and support the building of 25,000 new homes
- Extension would enable 65,000 new trips in each direction from Old Kent Road, New Cross Gate and Lewisham into central London each weekday morning
- Potential to extend beyond to Lewisham in future and for a new Thameslink station at Camberwell

Transport for London (TfL) has confirmed it will be taking the next vital steps on the proposed new Bakerloo line extension and will begin the detailed technical work in 2016 to build a case for extending the line from Elephant and Castle to Lewisham via Old Kent Road.

This would allow TfL to seek permission from Government to start the construction of the extension by 2020. If the project is given the green light, construction is expected to start around 2024. By terminating at Lewisham, an extension could be open by 2030, delivering significant benefits across south east London.

Passengers travelling to central London from Lewisham, New Cross and the Old Kent Road would benefit from more frequent services and faster journey times with the Bakerloo Line extension, delivering capacity for 65,000 new trips in each direction.

With the Capital's population growing to 10m by 2030 from 8.6m today, extending the Bakerloo line is vital in helping support the anticipated growth in south London by providing improved transport infrastructure and enabling regeneration in a number of the Mayor of London's key Opportunity Areas including Elephant and Castle, the Old Kent Road, New Cross Gate and Lewisham.

TfL carried out an initial public consultation in Autumn 2014 on route options for extending the line south of Elephant & Castle. More than 15,000 people responded, with 96 per cent in favour of an extension. Since then, further work has been carried out to assess a number of possible routes and stations, including options serving over 200 alternative destinations that were suggested during the consultation.

TfL has today published a summary report of how the various options have been assessed against their potential to unlock new homes and improve transport provision in south east London. The report indicates that a route to Lewisham via Old Kent Road has the strongest case, with potential to support the building of 25,000 new homes by improving transport accessibility and capacity along the route.

Mayor of London, Boris Johnson MP, said: “The extension of the Bakerloo line will provide a vital new transport link for people living and working in south London. It will help to spur the delivery of jobs, homes and regeneration in this part of the capital and provide much-needed new capacity on a key underground line. The case for a route to Lewisham via Old Kent Road is strong and TfL will now be working closely with the boroughs to fine tune our plans to the next important stage. We’re now firmly on track to get construction on this major project underway by 2024 and have it up and running by 2030.”

Further work is also underway to look at the wider rail network to ensure that it gets the vital investment it needs to support growth in London and the South East. Beyond Lewisham, TfL is working closely with Network Rail and the DfT to develop improvements to the rail network, such as capacity enhancements to allow for more frequent trains, which will complement and add to the Bakerloo line extension.

The Mayor and TfL will be working closely with Network Rail and Southwark Council on plans for a new Thameslink station at Camberwell. This new station would reduce journey times into central London by up to 20 minutes, and by providing connections to the Underground and Crossrail, will improve access from Camberwell to locations across London.

Richard de Cani, TfL’s Managing Director for Planning, said: “Following a comprehensive assessment of route options for extending the Bakerloo line, a route to Lewisham via Old Kent Road and New Cross Gate provides the greatest opportunity to support growth with the potential to unlock 25,000 new homes whilst improving access to jobs in Central London. Together, these two proposals would unlock growth across a wider area and help improve transport accessibility for people in the Camberwell and Old Kent Road areas”

“No final decisions have been made and next year more detailed work will be carried out before we undertake another public consultation. We will also continue to work closely with the London Boroughs of Lewisham and Southwark, Network Rail and other key stakeholders as we develop our plans.”

Funding options for the extension are being considered. There is potential to look at similar funding mechanisms as that being used for the Northern line extension, seeking contributions from new residential and commercial developments along the proposed extension.

Subject to funding and securing powers the extension could be completed by 2030.