

COUNCIL MEETING

12th DECEMBER 2016

QUESTIONS FOR ORAL REPLY FROM MEMBERS OF THE COUNCIL

1. From Cllr Nicholas Bennett JP to the Leader of the Council

In the light of the Ofsted inspections on the Youth Justice Service and the Children's Service and the subsequent report of the Commissioner what action is being taken to address any generic failings across the Council services?

Reply:

Cabinet Members, Directors and Assistant Directors have considered the issues raised in the Inspection report and made changes to operating practices where necessary. Additionally, the corporate leadership team is addressing a number of generic points such as performance management, risk management, breaking down of silos and our partnership working. We have also reviewed the workforce within the organisation. Councillor Bennett will also be aware that the Constitution Improvement Working Group is looking at issues of governance that might lead to better outcomes in future. Indeed, I will be meeting with Mr Adetosoye and the Chief Executive again tomorrow to discuss further these governance issues.

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

What steps has the council taken in 2016 to lobby for additional railway capacity and reduce overcrowding at busy stations, such as Bromley South?

Reply:

LBB officers have been engaged in lobbying Network Rail throughout 2016 as part of the Kent Route Study process in the hope of securing a range of rail enhancements to benefit our Borough.

Details of specific projects under consideration will be available in the Draft Kent Route Study, which I am advised is going to be released for public consultation shortly. An outline briefing on the Route Study was also provided to the Public Transport Liaison Group in June by Network Rail.

I am pleased to confirm that Officers continue to regularly engage with train operating companies serving the Borough and will remain actively involved in lobbying for the best possible services for Bromley as part of any franchise renewal process, when these occur.

Supplementary question:

What steps would he encourage the train operating companies and Network Rail to put in place at Bromley South to deal with overcrowding both in terms of current demand and also increased demand in the future with all the new homes in Bromley Town ward?

Reply:

It has become apparent to many of us that Bromley South is one of England's most overcrowded stations. I think we need to begin thinking about something more radical than new lifts. We definitely need more trains to ease the overcrowding and I think the stage is coming when we need to be thinking in terms of new entrances to ease footfall through the station. That will involve a massive amount of infrastructure funding and those are the sort of conversations that officers will be engaging in with both Network Rail and the train operating companies as part of this evolving process.

Additional Supplementary Question:

One way to ease overcrowding at Bromley South would be to increase the capacity at Bromley North with a direct line through to East London by the extension of the Overground through New Cross. This is a point that has been made before. Are the Council making any attempts to lobby Network Rail or TfL on this matter?

Reply:

This is an aspiration that we both share. Whether we can get the DLR down to Bromley North looks less and less likely. Mayors past and present appear to hold different spending priorities. Clearly whether the sweeping route around New Cross can be achieved we will have to see. I have not been updated on it in recent months which tends to suggest that the question is lying dormant, but we will dust that off for Councillor Bennett and advise him of the findings.

3. From Cllr Peter Fookes to the Portfolio Holder for the Environment

Why are leaves not being collected this year?

Reply:

Cllr Fookes is very badly misinformed.

Supplementary question:

I have witnessed this myself in Kings Hall Road, where the reality is, certainly in the north of the borough, as with street cleaning, residents are asking why they should be paying Council Tax when this Council is not delivering. I have never seen any leaves being cleaned.

Reply:

If Councillor Fookes has never seen any leaves being collected then I suggest he needs to get out more often. Self-evidently, the roads are swept every single day of the week, including weekends. I would mention to the Group opposite that they have been repeatedly asked in this chamber to list particular roads in their wards that require sweeping at different times of day to the standard to enable a schedule to be put together to enable streets in their ward to be swept more efficiently, if not more regularly. I have yet to receive a single call from any of them and I think that suggests that they are more interested in politicking than looking after the interests of their residents.

Additional supplementary question:

Councillor Angela Wilkins drew attention to the answer to written question 12, where the number of notifications for street cleansing in Penge and Cator ward was 956. I have already requested that Selby Road, which is another source of frequent complaints, should have weekend cleaning.

Reply:

Councillor Smith stated that he was not aware that Councillor Wilkins had asked for Selby Road to be swept at the weekends, and he was sure that officers would treat the request with due diligence.

Additional supplementary question:

Councillor Kathy Bance stated that she had requested that Newlands Park be swept at the weekend, and this had been agreed.

Reply:

Councillor Smith responded that he was not aware of this request.

4. From Cllr Kathy Bance MBE to the Portfolio Holder for the Environment

Following the tragic deaths of Makayah McDermott and Rosie Cooper the Friends of Cator and Alexandra Parks are holding a collection to purchase a bench in their memory. They will struggle to collect sufficient money to both purchase and install the bench. Will the London Borough of Bromley be prepared to fund the installation costs?

Reply:

I am sorry to have to confirm that policy dictates that the Council would charge for such features.

However, given the involvement of the Friends Groups, which I take particular pride in trying to grow across the borough, I will consider recommending possible match funding subject to the design, cost and planned location.

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

Please explain how it came about that members of the E&R PDS and Executive were presented with a report which stated that Cushman & Wakefield would be managing property services as part of the Amey contract and yet the truth was that no agreement had been reached between Amey and Cushman & Wakefield?

Reply:

The award of a contract to Amey Community Limited was conditional upon legal and financial provisions being satisfactory. For the provision of Strategic and Operational Property Management Services and Facilities Management Services, both Amey and Cushman and Wakefield had indicated their ability to deliver the contract and any subsequent contractual arrangements between the two organisations would be completed post the decision of the Council to appoint, which was subsequently proved to be the case.

Supplementary question:

My concern here is primarily for those members of staff who, shortly before the contract was due to be implemented, were left in a position where they were not going to go to Cushman and Wakefield and they did not know who their employer was going to be. Is that satisfactory?

Reply:

Throughout the negotiations with Amey and Cushman and Wakefield we were very keen to point out that they would have to have individual conversations with our staff on a one to one basis. The services which have been taken over are high performing services and the reason for this is that they are high performing people, so it was very necessary from day one to get them on our side and keep them on our side throughout the negotiations. The negotiations became more protracted than I would have liked and the problem may have been that it was some considerable time after these conversations that the contract kicked in. I am very aware of the sensitivities surrounding the contract and the members of staff, but I am also quite confident, having spoken to senior managers, that those conversations did take place.

6. From Cllr Vanessa Allen to the Portfolio Holder for Education

The Draft Local Plan shows the requirement for an additional 15 forms of entry for secondary schools required by 2023 and more beyond that. Why then does the Draft Local Plan include

the Kentwood site as a new academy with four forms of entry, with no interest being shown in developing this site by any education provider, while the 8 form entry Eden Park site at Balmoral Avenue, with an outline planning application and provision already being temporarily made at Ravensbourne, is not in the Draft Local Plan at all?

Reply:

I will attempt to answer in four stages – looking at the need, how the developments work, the Local Plan itself then the specific sites.

Looking at the need, colleagues will be aware that we have done a lot of work with Rob Bollen and with Councillor Philpott to look at where specific need is in all the specific wards and all members have been invited to talk to us about where those specific needs are. In terms of the GLA school roll projection, we are looking at needing an additional 23 forms of entry at Year 7 entry to secondary school by 2022. I am aware that this number has shifted since the PDS papers in May and it will probably shift again early next year when we get the full analysis through from the GLA so we have a proper idea of what we need.

Re-emphasising again how it works, whilst the local authority does need additional school places the creation of those school places and the acquisition of sites falls to the Education Funding Agency. It is up to the Education Funding Agency to acquire the land and carry out the planning application process.

In terms of the Local Plan, this sets out the local authority's, i.e. the Council's future policy for land use. This means that we have to make sufficient land available to meet future educational needs. This includes the designation of sites and policies for future education development. It is the Council's view that the Draft Local Plan is compliant with meeting future demand. The Draft Local Plan does not make any judgement on the merits of any particular school or application, merely that sufficient land is available.

Moving to the sites that are mentioned in the question, the Ravensbourne School site was designated for education use. The Council has chosen not to resist the appeal and that is now going through. In terms of the Balmoral Avenue site, that is not included within the Draft Local Plan for education use. The applicant, i.e. the Trust and the Education Funding Agency, would need to make a case at the point of application that the educational merits of that site outweigh any other planning considerations. Regarding the Kentwood site, we are expecting there to be some interest in that site over the life of the Local Plan.

7. From Cllr Kevin Brooks to the Portfolio Holder for Care Services

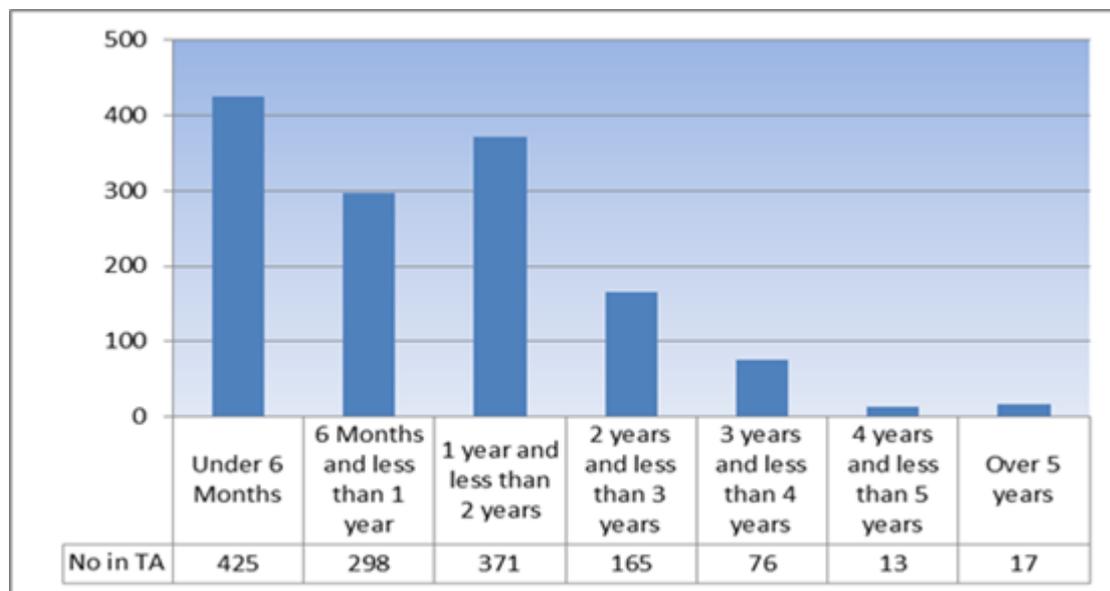
Can the Portfolio Holder please tell me how many temporary housing placements have extended beyond the two year benchmark?

Reply:

Under the provisions of the homelessness legislation, households to whom the Council has accepted a rehousing duty must be provided with temporary accommodation until such time as the rehousing duty can be discharged by securing settled accommodation. This may be done through a range of settled options including, for example, the offer of private rental accommodation, reconciliation with family, shared ownership or the offer of a housing association tenancy. There is no set timescale or benchmark for the length of stay in temporary accommodation and this will vary depending upon the availability of the accommodation needed in terms of size, location, property type etc. In the case of securing an offer of housing association accommodation, the individual's own bidding patterns on

Bromley Homeseekers will also have an impact upon the length of time spent in temporary accommodation.

(The table below provides a breakdown of the length of time households have currently been in temporary accommodation.)



Of 1,365 family units in temporary accommodation at the moment, 1,094 have been in temporary accommodation for less than two years. Only 17 have been in temporary accommodation for more than five years.

Supplementary question:

We have an instance of a family of three, a mother and two girls who have been in temporary accommodation for over two years. They are in one room; the girls are now aged 13 and 17, an age when you are looking for a certain sense of privacy. What actions will you take in order to prevent such circumstances and enable a family of three who have lived in temporary accommodation for two years to find suitable and appropriate housing?

Reply:

All I can say is that the department works extremely hard and the pressure is enormous in terms of finding temporary accommodation. If there is a particular case to which Councillor Brooks refers then if he would like to refer it to me then, as always with all Members, I am very happy to chase up with my officers what the situation is with those individual cases.

8. From Cllr Ian Dunn to the Portfolio Holder for Care Services

Does this Council feel that it has had adequate involvement in the development and review of the Sustainability & Transformation Plan which has been prepared for South East London?

Reply:

Councillor Dunn will be aware that nationally there has been a great deal of concern about the lack of local authority engagement in the STP process, despite acknowledgement by NHS leaders that local authorities and the NHS have to work together to tackle the scale of the problem facing our services. Indeed Simon Stevens has commended local authorities' ability to manage budget pressures in ways in which the NHS has signally failed to do.

As the democratically elected representatives of the people of Bromley, who will be directly affected by the proposals, we believe that there should have been more formal opportunities for engagement at the strategic level. The Leader has written to the Chairman of Bromley CCG expressing our concerns. We appreciate that the STP has been subject to some very tight timescales and a shifting expectation on the part of the Department for Health and NHS England of what it was intended to be. We noted with some disappointment the changing focus from potentially a plan for full integration of health and social care to one which focuses entirely on the NHS budget deficit and which no longer requires any real engagement and certainly not sign off from local authorities. The Chairman and Chief Officer of the CCG have expressed their regret at not having engaged the Local Authority more fully in development of the Plan.

We welcome the focus of the NHS on dealing with its significant budget deficit and potential growth pressures and we support the focus of the STP on efficiency and consistency and improving the delivery of planned care. The primary aim of keeping people as independent as possible and avoiding hospital stays and long term institutional care is consistent with our Building a Better Bromley agenda and we are pleased to see that reflected in the STP.

The changes which the NHS is proposing represent a significant financial challenge to local authorities and it is important that there are mechanisms to divert resources from acute or other areas of health spend where the implementation of the STP results in additional cost for social care.

We acknowledge that the STP for South East London reflects many of the existing priorities for the NHS locally as set out in Our Healthier South East London. However it is at this stage still only a plan and the challenge will be to ensure that it is implemented and delivers real change for the health and social care economy and our patients and residents.

The Leader and I will be having further discussions next week with the CCG about how we will ensure real and effective participation from the local authority in governance arrangements.

That was the long answer. The short answer is no, we certainly were not involved.

Supplementary question:

The STP is underpinned by a memorandum of understanding which sets out how health and care interact. I have seen the memorandums of understanding for other parts of England which have allowed for a local authority to sign. What specific assurances will you need before recommending that this Council signs the memorandum of understanding for south east London.

Reply:

The answer is that we will have to be assured that it is for the good of our residents in Bromley. We have a great deal of talk about south east London arrangements but as far as I am concerned, whilst we recognise some issues, like admittance to Kings, that are spread across more than one borough my main thrust is to get the best for residents in Bromley.

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

What were the dates of the last 3 planning sub-committee reports to contain the recommendation 'Members views are requested'?

Reply:

It would take a great deal of time to work out exactly the dates you are asking for. However, we have not had a “Members Views” recommendation since 2012.

Supplementary question:

Who is overtly or covertly defying the wish of democratically elected councillors to have “Members Views” reinstated?

Reply:

I think personally that the recommendation “Members Views” is somewhat overrated. I arranged a seminar in June or July this year where an ex-inspector came along to discuss with us how appeals were dealt with. It was not well attended but those who did attend enjoyed it and learnt a great deal from it. When inspectors look at appeals, recommendations from officers are not paramount in their thinking. They look at the evidence that is presented and that is from where they make their decision.

The decision is made on evidence. Planning is very subjective – what is an overdevelopment, what is out of character, what is inappropriate design – so there is subjectivity. The inspector may disagree with planners or with Members, provided we are giving substance to the decisions we are making we will never lose costs.

I have seen so many applications refused on the basis of local knowledge. Local knowledge can only be used where examples of that local knowledge are brought into the equation. For instance, local knowledge often applies to traffic. If we are saying something should be refused because of a traffic consideration then we should get examples of that.

We employ a professional planning department. All of these officers are professionally qualified people who are asked to make a recommendation. We cannot ask them to sit on the fence with “Members Views.” I think it is absurd to ask them to give a view one way or the other.

Additional Supplementary Question:

Councillor Owen protested that his question had not been answered. If you look at the minutes of the Development Control Committee chaired by Councillor Nicky Dykes on 9th June it is absolutely clear that members wish to have “Members Views.” Who is stopping that happening? Somebody clearly is.

Additional Supplementary Question:

Given the undemocratic nature of what has happened to “Members Views” can I ask is there a European Directive involved?

Additional Supplementary Question:

Given that there will always be those planning applications that are finely balanced, and could quite reasonably go either way, does the Chairman not think that where a finely balanced application is recommended for permission but where Members subsequently refuse it does he not think that this will automatically put the Council on the back foot at any subsequent appeal?

Additional Supplementary Question:

I was present at the meeting in June. That meeting expressed a desire to have “Members Views.” Who is blocking that issue?

Reply:

In response to Councillor Michael, no, I do not think we are on the back foot if we refuse something that has been recommended by officers. I think the appeal is dealt with on its merits.

As far as Councillors Auld and Owen's question is concerned, nobody is blocking "Members Views." The planning officers have complete right to recommend "Members Views" if they want to – they have that option open to them. Personally, I do not think it is an option they should use, but nobody is blocking it.

10. From Cllr Nicholas Bennett JP to the Portfolio Holder for the Environment

- (I) If he will list the locations in the Borough with width restrictions?
- (ii) For each location the number of times, one or more width restrictions have been removed maliciously or by accident in the past year?
- (iii) The action taken to apprehend and charge offenders for the damage?

Reply:

- (I) Locations of width restrictions:

Sundridge Avenue, Chislehurst
Yester Road, Chislehurst
Thicket Road, Penge (more a gate than a width restriction)
Manor Park Road/Watts Lane, Chislehurst
Main Road, St Paul's Cray
Red Lodge Road, West Wickham
Fox Hill/Belvedere Road Crystal Palace
Auckland Road, Crystal Palace
Hayes Lane, Hayes
Queen Anne Avenue, Shortlands
St Dunstan's Lane, Beckenham

- (ii) Sundridge Avenue has its protector damaged five times, Yester Road has had locks removed five times, Hayes Lane is having locks removed three times a week, St Paul's Cray bollard has been damaged weekly and Red Lodge Road's bollard has been damaged or replacement locks required weekly during the past last twelve months.

- (iii) If anyone witnesses and can provide both the vehicle registration number and is willing to provide a witness statement we would pursue everyone for repair or replacement costs.

Supplementary question:

It would be useful if perhaps on a future occasion we could find out how much it is costing to do this on a weekly basis or more often. Are we using CCTV at some of these locations where it is happening on a three or four times a week basis to try to catch these offenders? In respect of Red Lodge Road in my ward, the bridge, I believe, is a network rail bridge. Are they contributing towards the cost of the width restriction, and if not, why not?

Reply:

It is not a serious enough issue to have CCTV required, the costs are largely covered by the contractor who puts the posts back in and replaces locks free of charge on a weekly basis. Concerning the bridge, I understand that as the local highway authority the responsibility for maintaining the equipment that we installed falls to the London Borough of Bromley.

11. From Cllr Peter Fookes to the Portfolio Holder for Care Services

What was the outcome of the recent conference on sofa surfing in Bromley?

Reply:

The Hidden Homeless seminar was one of a number of seminars on a variety of subjects being hosted by Bromley Voices – Community Links team for their member organisations. Officers from the Bromley Housing Division were invited to attend the seminar and gave a presentation on the current housing and homelessness pressures. The seminar was well attended and organisations were engaged in looking at their respective roles in helping to prevent and tackle homelessness. It was a good opportunity to talk about the forthcoming review of the homelessness strategy and how to use this multi-agency forum to help develop the new strategy. A particular strand of work identified was to look at how organisations can assist in identifying households at risk of homelessness at the earliest possible stage to ensure that they are sign posted to access appropriate advice and assistance to maximise the effectiveness of preventative intervention.

Supplementary question:

Given the fact that, in response to Councillor Brooks' question, the reality is that people in temporary accommodation in this borough are four times the number they are in neighbouring Labour controlled Lewisham, when are we going to do something about this problem?

Reply:

Our housing department fulfils an excellent role. They are one of the most efficient departments in the Council - 90% of the people who apply to them to be registered as homeless are actually helped and are found other ways to avoid the homelessness issue. We recognise that this is a real problem, not just for Bromley but throughout London and the South-East. There is a big homelessness problem; we are doing what we can to combat that.

(As the time limit for this item of thirty minutes had been reached, the Mayor announced that the remaining questions would receive written answers.)

12. From Cllr Kathy Bance MBE to the Portfolio Holder for Public Protection

We have established that the CCTV camera located in Evelina Road, Penge is working and owned by the London Borough of Bromley. Can you advise what service this camera provides to the residents of Penge?

Reply:

The CCTV camera at the end of Evelina Road is part of the Bromley public space CCTV system. It views the Croydon Road shops and is used in tackling local crime and anti-social behaviour.

This camera has the added benefit to residents in that it views the entrance to the estate as well as the road entrances, which have previously been used as escape routes.

The camera is also a visual deterrent to participants in crime and anti-social behaviour in this area.

13. From Cllr Angela Wilkins to the Portfolio Holder for the Environment.

Please explain why it has taken so long to see a new contractor for Parking Services agreed and exactly why the six month extension of the Vinci contract was required earlier this year?

Reply:

I don't accept it has taken "so long" personally.

I have mentioned previously and am very pleased to repeat, that I would far rather see a robustly written contract which better protects the Council's interests moving to the future even if it does take longer to deliver, than a poorly structured 'quick fix' which failed to do so.

I am very pleased to say that this has now been achieved.

In summary, the BPA contract originally appeared to meet the requirements of a Parking Service. However, during the contract development process it became apparent there were better options available given the scope and scale of the contract being let.

These have subsequently been captured and addressed within the recently approved Contract.

14. From Cllr Kevin Brooks to the Portfolio Holder for Care Services

Based on the Health Inequalities report from Healthwatch to the December meeting of the Health & Wellbeing Board, do you now recognise that there is a problem in Bromley with people suffering from financial hardship also suffering from lower standards of physical health and mental wellbeing. What do you propose to do to address this?

Reply:

It is well recognised that deprivation is associated with poor health outcomes and the role of Public Health is to improve the health of the population and to reduce health inequalities.

For the period 2012 to 2014, there was an 8.6 year difference in life expectancy at birth between males living in the most and least deprived areas of Bromley, and 6.2 years for females. This represents an increased difference over the last ten years.

Public Health services are targeted to disadvantaged groups e.g. routine and manual workers for smoking cessation, and outreach to deprived areas for NHS Health Checks. In addition, Public Health work with Primary Care, highlighting deprivation in practice populations so that increased resources can be directed to those most in need of health care. There is ongoing work on assessing the need of the homeless population to inform commissioning of health and care services (JSNA 2016).

15. From Cllr Peter Fookes to the Portfolio Holder for Education

Why are parents of children with severe disabilities being refused transport for their offspring?

Reply:

They are not. If there is a specific concern that Cllr Fookes would like to raise then I encourage him to do so. So far he has not contacted me regarding any case. If he does have a specific concern I would implore him to think of the welfare of the child and raise it with either me or the department immediately rather than wait for a full Public Meeting to raise a non-specific concern.

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

Please explain why a one-off drawdown of £33k was required for a recent increase in employment tribunal work? (See paragraph 3.4.3 of the November Budget Monitoring Report.)

Reply:

The straightforward answer is because we had work which temporarily exceeded the capacity of the in-house resource.

The Council has seen a recent increase in both contentious and non-contentious work which required additional temporary resources to ensure that external timetables were met whilst dealing with work supporting service needs and providing general advice on commissioning work.

17. From Cllr Michael Rutherford to the Leader of the Council

Would he like to wish the council and residents of the borough a Merry Christmas?