

COUNCIL MEETING

10th APRIL 2017

QUESTIONS FOR ORAL REPLY FROM MEMBERS OF THE COUNCIL

1. From Councillor Chris Pierce to the Public Protection and Safety Portfolio Holder

Can the Portfolio Holder please advise what steps are being taken in partnership with the Police to deal with the ever increasing problem of anti-social off-road motorcyclists and the general nuisance and annoyance they are causing to residents across the Borough and in particular in my own Ward, Cray Valley East?

Reply:

The last complaints received were two recorded by Public Protection in October 2016 relating to Hockenden Lane, Cray Valley East. This information was shared with the Police, log sheets were sent to complainants but these were not completed. No further action was taken by the noise nuisance team.

However, through continued conversations with the Police, and our Legal Team I am exploring the possibility of Public Space Protection Orders (which, as the name suggests apply to public spaces). For the meantime I have urged Police to utilise existing powers as we will need to evidence that all existing powers are not sufficient before proceeding with a PSPO.

Toby Smith and Peter Sibley are working with the Police to ID those responsible. LBB CCTV footage taken last week from Orpington High Street will result in joint LBB & Met home visits to the individuals identified. Bikes will be seized where legislation allows. Now that all police officers are issued with body worn cameras evidence is much easier to capture, without the need to pursue a motorbike (which is a contentious issue for the Police).

LBB and the Police now meet weekly to resolve ongoing motorbike issues across the borough. Four key focus areas are: Elmstead Woods, Crystal Palace Park, Scadbury Park Nature Reserve and St Paul's Cray Hill Country Park.

Supplementary question:

I am pleased to hear that one of the four key focus areas will be in my Ward. Does the Portfolio Holder know if the Police and/or Ward Security be carrying out additional proactive patrols at times of known peak activity, and if so, what will the frequency of those patrols be?

Reply:

In Bromley we are fortunate that our Police are equipped with two off-road motorbikes, there are very few of these across the Met. These are deployed when problems are identified and proactive patrols are carried out where Police resources allow. Also, Ward

Security work with the Police and respond to calls from the general public, in order to take action against these motorcyclists.

In addition to this, MOPAC have confirmed two years of funding for a series of community action days across our borough. These replace what was previously known as "Operation Crystal." The objective of this Community Impact Day is to improve the local community for residents, through ASB action, street environment improvements and police enforcement and reassurance. Once a month on an operation day, as part of a much wider programme of activities, the off road police officers will be tasked to identify quad bikes, mini-motos, scramblers and scooters being driven illegally (on road or off road), they will be prosecuted and the vehicles will be seized where possible and this will deter further use.

Community Impact Day locations will be reactive to where LBB Team and Police receive the most complaints and crime reports for, the locations are not publicised in advance. The first Community Impact Day will take place later this month, and local ward Councillors will be informed in advance of these events. Plus the results of the Community Impact Days will be well publicised afterwards.

Additional Supplementary question:

The Mayor asked the Portfolio Holder to confirm that Safer Neighbourhood Teams were there to take complaints from ward councillors and their residents.

Reply:

The Portfolio Holder confirmed that this was the case.

2. From Cllr Angela Wilkins to the Environment Portfolio Holder

Can he please explain why it is that, as identified in the recent internal audit of waste services, the Council does not have a copy of the contract with Veolia? How much money has the Council lost because it hasn't been imposing the penalty charges on the contractor where bins have been missed?

Reply:

Whilst the document in question cannot be located at present, it should be placed on the record that according to the Council's Chief Legal Officer we do have an enforceable contract based on the other documentation which is to hand, as well as custom and practise, were anyone minded to try and possibly create difficulties by perhaps suggesting otherwise.

Regarding finance, it remains largely conjecture as work is still ongoing to establish how much money might have been forgone. For that simple reason alone, it would have been very helpful for everybody concerned had the report in question been delayed until the full facts of the matter had been properly established and verified.

On a more positive note, I am very pleased to advise the Chamber that the current level of misses from the 70,000 daily collections undertaken are routinely coming in at less than 100 per day, a strike rate broadly contained between 0.07 and 0.12 %

These are the best figures that I can ever recall viewing during my 11 years in tenure.

Supplementary Question:

Do you feel in any way responsible, given that of the 15 priority 1 recommendations that came out from Audit Sub-Committee, several of them had been raised previously in 2015?

Reply:

No.

3. Cllr Ian Dunn to the Care Services Portfolio Holder

How does the Portfolio Holder see the balance between employees and agency staff changing over the next two years?

Reply:

The national shortage of experienced qualified staff in the health and social care sector is well documented. Consequently, a number of measures both at the national and local levels are being implemented to address the on-going imbalance between the demand and supply of experienced staff and doctors, nurses and qualified care staff including children's and adult social workers in particular, and the high use of agency staff. These measures include, for example, the Grow Your Own, Step Up to Social Work and Frontline programmes. Bromley Council is the lead authority for the Step Up Programme. The Council runs the programme on behalf of 6 other local authorities. More recently, the government has just piloted a "Return to Social Work" aimed at bringing back experienced social workers from retirements or career breaks.

Locally, there is political and managerial commitment to turn around the current disequilibrium between the use of agency staff and permanent staff. The Recruitment and Retention Board under the joint leadership of the Director of HR and the Deputy Chief Executive/Director of Education, Care and Health Services has set itself a challenging target to reduce the agency usage in Children's Services by 95% in 18 months' time. The balance is beginning to shift albeit slowly as a result of promoting the Council as employer of choice. The Deputy Chief Executive's "Road Map to Excellence", the caseload promise and the Corporate Recruitment Video which can be found on the Council's internet are some of the major factors. Other measures include fast-tracking of quality agency workers into permanent contracts, a quick and on-going review of any push factors in order to minimise the attrition rate and ensure a stable social care workforce. For example, there is a No Quit Policy/intervention which is triggered by HR within 24-48 hours of notice to leave aimed at dissuading good staff from leaving the service. Staff terms and conditions of employment including pay are being flexed to ensure the Council remains competitive in a very challenging regional and national market. The pay differentials between teams are currently being addressed in response to the position being adopted by neighbouring boroughs in particular. Staff feedback from leavers is being managed/analysed in a more proactive and timely manner. A smart device is currently being implemented by HR which will give leavers the means to give instantaneous feedback from any smart device including mobile phones, tablets, etc. In the light of the above the balance between agency and permanent staff in Care Services is likely to shift in favour of the latter. This was the case not too long ago - some three years ago, for example, when the number of agency staff in children's services in particular was less than 20 compared to around 66 that we have at the moment. The impact of the new tax rule IR35 for self-employed individuals/consultants will help shift the balance further.

Some of the obvious advantages of being a self-employed or agency social worker are being eroded by the new tax regime. In light of this the Deputy Chief Executive and HR are arranging another session with the agency staff to promote and offer them permanent contracts if applicable. The tide will turn in our favour if we maximise the pull factors and eliminate or significantly reduce the push factors. Good leadership and managerial support is key going forward.

Corporately, the Council's spend on agency at around £8m is still one of the lowest in London, compared to over £20m being spent by a number of boroughs. Given the Council's unequivocal commitment to maximise the number of apprentices under the Apprenticeship Levy the use of agency staff for administrative roles will be significantly reduced.

Supplementary Question:

The supplementary question is about the daily rates which are being paid to agency staff. For adult social care, the response to my written question showed that the current rate was about £170 a day compared to about £135 two years ago. How do you think that sort of increase in daily rate is going to encourage or discourage employees or agency staff from moving from one to the other?

Reply:

Currently, we pay the rates that are necessary. We have to fill staff positions. If we cannot get permanent staff then we have to employ agency staff, and if the going rate is that then we have to pay it.

4. From Cllr Vanessa Allen to the Chairman of Development Control Committee

Can he confirm the amount the Council had to pay in costs in relation to the Queen Mary House appeal? Can he also comment on lessons learned from this appeal, specifically as the Costs judgement contained the words –

“Not least of these undisputed benefits is that the proposal would meet a critical demand for older persons’ accommodation for which there is insufficient supply in the borough, falling well short of targets in the London Plan.”

Reply:

The Council has not had to pay any costs to the appellants in relation to the Queen Mary House appeal to date. This is due to the way the costs system works for planning appeals. The planning inspector has made an award of costs against the Council but as is normal this award does not state an amount. The appellant needs to submit a justified claim for costs to the Council and at present this has not happened - it is awaited.

Planning appeals are circulated to planning officers for reference and analysis so that lessons are learnt and so that they are taken into account in future planning applications. The weight to be given to a previous appeal decision is a matter of judgement and typically it depends on the degree of similarity between the cases and on relevant changes in planning circumstances. Where reliance is placed on a previous planning appeal, it will be clearly referred to in the officer report.

Supplementary Question:

You did not answer the second point about the lessons learnt from the appeal. There was some resistance from Members to the provision of older people's dwellings in the draft Local Plan, due to their perceived drain on Council services and resources. I would like to

ask if he supports the strengthening of the Council's policies on this to ensure that Bromley not only meets its targets but also positively promotes the provision of suitable dwellings for older people.

Reply:

I did refer to the benefits that can be derived from any appeal, in that they are used for consideration in similar cases going forward. As far as elderly accommodation is concerned, it is not really a question for me. The Council complies with planning legislation, with its UDP and the London Plan and whenever this type of residential accommodation is put forward it is considered in the light of those plans.

5. From Cllr Kathy Bance MBE to the Education & Children's Services Portfolio Holder

What impact is the recent change in funding arrangements by central government going to have on Bromley Schools and Bromley children?

Reply:

The premise of the question suggests that the new funding formula has already been implemented – it has not. In laying out the matters as we currently understand them we are moving into the realms of the hypothetical. It is also worth remembering that the need for the review is as a result of the chaotic postcode lottery that existed throughout previous administrations back to the 1990s. Getting something this complicated correct is vitally important, which is why the consultation process took place.

Estimates suggest that the impact of the National Funding Formula for 2018/19 will be a marginal gain +0.1% or a marginal loss (-0.3%) of Dedicated Schools grant (DSG) depending on the methodology used by the government.

Although the overall funding envelope will remain static it is estimated that Bromley primary schools will lose funding with secondary schools gaining due to the DfE formulas shifting funding away from primaries and into secondaries.

The main impact is likely to be in the High Needs block where funding will remain static but we are experiencing increasing levels of demand and growth, which if the static position of the High Needs block stays as it is will have to be funded from existing funding levels.

It is on this point that I and Bob Neill MP had a meeting with Nick Gibb MP setting out Bromley's position. That conversation is on-going.

The consultation has just finished and the DfE will be responding by the Autumn of 2017 in order that budgets can be set for the 2018/19 financial year. We will know what the final position is by that point.

Supplementary Question:

If the funding formula does come into existence, will the Portfolio Holder support Labour's campaign to reverse these changes in funding?

Reply:

Both myself and the MP for Bromley and Chislehurst met the Minister, Nick Gibbs MP, and we made our feelings about the funding position for Bromley quite clear.

6. From Cllr Kevin Brooks to the Care Services Portfolio Holder

What monitoring is carried out on Vibrance to ensure people not attending day centres are able and proactive in using their direct payments for alternative provision?

Reply:

We have a contract in place with Vibrance for the provision of support and advice to people who wish to make use of a direct payment. The role of Vibrance under this contract is to explain the DP process, ensure that the DP recipient understood their obligations as an employer and to support them to recruit a Personal Assistant (PA) either through their PA register or through direct recruitment. This contract is monitored by the provision of quarterly statistics, an annual Quality Assurance visit and meetings with the Contract Manager. From 1/4/17 this contract also delivers the payroll service to people accepting direct payments.

Supplementary Question:

I have concern about some residents who seem to be increasingly on their own. I just want to make sure that we have enough monitoring to ensure that if they are not attending day centres they are attending something else so there is no extra pressure put on carers.

Reply:

Yes.

7. From Cllr Richard Williams to the Education & Children's Services Portfolio Holder

Over the last few years we have seen a rise in suicides amongst teenagers particularly due to the increase in social media. According to figures an average of 8 teenagers take their own lives weekly. Can I ask the Portfolio Holder to encourage schools and local youth groups to share a campaign video that has been spearheaded by the ITV programme This Morning 'Be Kind' <http://www.itv.com/thismorning/hot-topics/pledge-to-share-our-anti-bullying-message>

Reply:

The issue of child suicide is a depressing and alarming one, and as a parent I cannot imagine the heartbreak and ruin that it leaves behind. The fact that it is often a result of cyber bullying leads us to question what can be done. The video mentioned in the question, which is hosted by 'This Morning' presenters from ITV, interviews two parents who have been through this trauma. The programme highlights how the new social media landscape increases the avenues by which bullying can occur. It invites parents to pledge to watch that video with their child so that they can better understand the outcome of their behaviours.

Here in Bromley, our emotional health forum, led by schools with LA officers and CAMHS support, is very much sighted on the issue of teenage suicide and I will personally ask the chairman of that group to discuss the request with school colleagues. Hopefully the schools will alert parents to the campaign and decide whether they want to agree with the pledge. I will also pass this information on to members of the Bromley Youth Council who have expressed an interest in this particular topic.

In terms of the broader issues of teenage emotional health and bullying concerns, the role of the forum is focussed particularly on the work that secondary schools do and the support they provide that complements counselling support provided by Bromley Y and CAMHS.

Supplementary Question:

Can I ask what the budget is from Bromley Council for tackling bullying in schools and youth centres?

Reply:

I do not have that figure but I will pass it on to Cllr Williams.

8. From Councillor Peter Fookes to the Leader of the Council

What is the procedure for reporting to members details of reports of maladministration by this authority as determined by the Local Government Ombudsman?

Reply:

If the Ombudsman makes a finding of maladministration then where a Local Authority is operating Executive arrangements Section 5 A of the Local Government and Housing Act 1989 (as amended) requires the Monitoring Officer to prepare a report to the Executive unless the matter related to a non-executive function as defined by section 9 D (2) of the Local Government Act 2000 (as amended) when the report is made to Council.

Supplementary Question:

In the interests of transparency, should all Members be informed once a case of maladministration has occurred? We should be informed immediately when there are problems.

Reply:

Unless there is a reason not to do so, then I would support that Members should be informed on such matters.

9. From Councillor Nicholas Bennett JP to the Public Protection and Safety Portfolio Holder

Whether he will discuss with the Borough Commander a pro-active policy to stop fly-tipping by asking police patrols to stop and question drivers of vehicles with waste seen on the Borough's roads during the night to ascertain whether they have waste disposal licences and the purpose of their journey at hours when waste disposal centres are closed?

Reply:

The Police are currently investigating how we can be more proactive in our mission against fly-tipping by having LBB enforcement officers and police patrols travelling together during planned operations so that they can move around the borough's roads and stop suspected illegal fly-tippers as well as planned stop and search road blocks which have limited effect. In addition to this the new Community Impact Days that I mentioned earlier will have a joint LBB/Police mobile vehicle to target waste-carrying vehicles during the operations. This will be intelligence led and tasked and may take place during the day or night. I have regular monthly meetings with the Borough

Commander and the Executive Director of Environment and Community Services and fly-tipping is a regular topic of conversation. I will ensure that catching fly-tippers remains a high concern to our local police team and push for them to be stopping more waste-carrying vehicles during the night.

Supplementary Question:

Can you also look at whether we can use our CCTV and the TfL CCTV to look at whether, when we have fly-tipping incidents, we can trace vehicles via CCTV, because it usually happens at 4 or 5am in the morning? Also, can the Police on their regular patrols during the night, if they see a vehicle full of waste when there are no waste sites open, realise that there is something amiss and that they need to be stopped.

Reply:

I agree with all that you have said, and I am happy to look into all those action points. We do have an action plan to tackle fly-tipping and we continue to revise and improve it – certainly CCTV could be added to that. We have asked TfL many times if we can have access to their CCTV cameras and to date they have declined, but we will continue to ask for their permission.

Additional Supplementary Question:

Councillor Simon Fawthrop stated that the Government were consulting on preventing charges for household DIY waste to stop fly-tipping and asked whether the Portfolio Holder aware of this? Quite often government initiatives came with a double-edged sword.

Reply:

I am not convinced that the initiative is fit for purpose. We already provide free disposal of garden waste, and that is routinely continuing to be dumped across the borough. If you have a potential free receipt of DIY waste, we may have an imbalance, and people with small houses doing very occasional DIY works potentially cross subsidising through Council Tax owners of larger houses doing more extensive renovation works. There are only minimal complaints about this, and I am slightly concerned about the social injustice of this. Clearly, if it is legislation and we are told to accept it without payment that is what we will have to do.

10. From Councillor David Livett to the Environment Portfolio Holder

How has the clearance of the Waste4Fuel site progressed in comparison with the original projection, with particular regard to the completion timeframe and costs?

Reply:

Thus far, 16,000t of the originally estimated 18,000t has been removed.

It has subsequently been established that the Environment Agency's calculation of the Waste Volume present was over optimistic, with a remaining total of 8,000t of waste still remaining on site waiting to be cleared. (Note: This figure was confirmed as 8,974t.)

The situation is further complicated, as I have reported previously, by the fact that the remaining waste appears, in whole or part, to be composed of mildly hazardous oil based

waste, which needs to be disposed of in a more carefully managed manner at somewhat higher cost.

To that end, the completion timeframe is currently being frustrated by the Environment Agency/DEFRA's ongoing delay in releasing the required and previously agreed further funding needed to clear the site completely, in line with the agreement reached with Bromley Council.

Some weeks ago I escalated this matter to local MPs, who in turn have escalated the matter directly to the Prime Minister's office in an attempt to introduce more pace into what I would be the very first to agree has been a thoroughly disappointing period since mid-February.

I undertake to update all interested parties the moment I hear back from Mr Bob Neil, MP as to the outcome of both his own, as well as Jo Johnson, MP and James Brokenshire, MP's sterling efforts, to bring this matter to a resolution for the benefit of the people living locally.

It should take less than two months to clear what is left from the moment the green light to proceed is received.

Supplementary Question:

The actual excess tonnage and the content of that tonnage were highlighted as an issue by local residents some time ago. Can the Portfolio Holder give assurance that the clearance of the site has not identified any threat to the health of local residents as a result of air pollution or pollution of the water table – because of fires on the site or the oil based stuff that has been burning or has been washed through to the water table. What assurances can he give that local residents should have no concerns about their health?.

Reply:

The waste is technically regarded as hazardous. It is not toxic or dangerous, but it contains materials, mainly oil based, that are described as being hazardous and require special treatment under EU and DEFRA legislation. During the height of the problems when the fires were fairly regular, Health England undertook air quality tests and there were no identifiable problems. We know about potential leaching, because one of the concerns was that all of the water being poured onto the stack might leak into the SSSI lakes site next door, there were no problems in that regard either. When the waste is eventually removed there is no reason at present to believe that there will have been any contamination into the ground itself. Clearly, I cannot guarantee that, and I will update you soon and if anything untoward does occur.

(Although the 30 minute time limit for oral questions had been reached, Councillors agreed to continue with the remainder of the questions.)

11. From Cllr Angela Wilkins to the Education & Children's Services Portfolio Holder

Last week OFSTED reported on its recent inspection of Bromley's Community Learning & Skills provision – Adult Education as we more generally refer to it. The previous inspection in 2015 had given the service an overall rating of "requires improvement", but with a "good" rating for quality of teaching, learning and assessment. In this year's inspection report, all aspects inspected are now deemed to be "requires improvement", and the report is prefaced with the rather damning (but familiar) comment: "Leaders and managers have been slow to address several issues from the previous inspection".

Can the Portfolio Holder please explain why the recommendations made by OFSTED two years ago have not been fully implemented and what action is now going to be taken to ensure this vital service is brought up to a satisfactory standard?

Reply:

The latest review of the Adult Education service was published by Ofsted on 3rd April, and I notice that there was a race to express an opinion in the Press. However, I think that in some of those views that were expressed maybe some of the nuance has been missed. I am not sure how far through the report the Labour Party got – the question is based around the first note on page 1, on the first bullet point, line 1, which talks about the change we have made to the service so far. In terms of context, if you skip further down the report, you can also read the statement that “Leaders and managers have successfully managed a significant transition” is another thing that the report expresses. Another from the same page is “Bromley’s Adult Education service offers a good range of courses in a wide variety of locations ensuring good learning opportunities to the Borough’s most disadvantaged residents.” In fact, if you look at the previous recommendations, four of the six made in 2015 have been fully implemented, the most significant of which was the complete reorganisation of the Adult Education Service. This encompassed a whole organisational change - staffing restructure, significant curriculum changes, which only came into place in September, implementing the closure of the Widmore Centre and the subsequent relocation of the service’s main administrative and support functions to the Kentwood site. We have changed main focus of the curriculum so it has shifted to be directed with an increased level of resource towards the most disadvantaged adults in our local communities, including the low-waged, unemployed, adults with learning difficulties and marginalised older residents. I am sure that the Labour Group will agree with me that this is all a good thing to do.

Change on such a large scale requires a significant amount of staff time in order to bring the project to its conclusion within the necessary timescales and limited budget. All that we have achieved so far without any additional resource and despite the impact the scale of organisational change can have on staff and student morale. If we go through the report to page 3, it says that “Leaders and managers have achieved much to help secure the future and sustainability of Bromley Adult Education.” It also says that Leaders and managers have successfully managed the College’s significant transition.

During their recent visit Ofsted recognised the success of this transition process and commented positively on the impacts it has had on the service as a whole, its governance and increased ability to meet the needs of residents within the borough’s most deprived areas. They also recognised that the focus on such a large scale reorganisation denied managers the time and resource needed to address the other areas for improvement.

In essence what we have here is a journey of change and improvement that is only in the very early stages of transition. Despite that, if we go to page 4 of the report it says that the governance of the Adult Education service is now good. I appreciate that there is always more to do, but I applaud the achievements that we have made so far and I would also like to salute the incredibly hard work of the Bromley Adult Education staff in what has been a significant and fundamental change.

Supplementary Question:

I too applaud the improvements in this area. How do explain the difference between your explanation and the Ofsted evaluation in the report?

Reply:

It all depends on which parts of the report you choose to focus on and I understand why for promotional and political purposes you are going to focus on the things that still need more work. At no point have I suggested that we are at the end of the journey; in fact we are very much at the beginning. We have taken a service and been through the appropriate channels and committees in this Council. We launched this new service in September last year, we have had a few limited months to bed in what we are doing, and that is what the recent review is talking about. In the review they have gone to great pains to say that we are doing the right things, we are sighted on the right objectives and that the management, leadership and governance is all there. One of the great things about the report is that it talks about the great experience that the vast majority of learners are having and it expressly says that those learners who have learning difficulties or disabilities are also speaking confidently about the service. So, you can pick and choose from the revealed text, but I prefer to focus on the positives, except the journey and changes that we still need to look at, but also getting behind those staff who are making the changes and making sure that we have the best service for the borough.

12. From Cllr Ian Dunn to the Education & Children's Services Portfolio Holder

How does the Portfolio Holder see the balance between employees and agency staff changing over the next two years?

Reply:

The question is the same as addressed to Cllr Evans earlier and the response is the same.

Supplementary Question:

My question again is about the cost of agency staff in the children's social care area. The written reply I received earlier shows that the average daily rate for children's social care is about £250 - £270. Why is the average daily rate in children's social care now £270, when is that going to come down to the sort of daily rate that it was previously, and when is the volume of agency staff in children's social care going to reduce to what is was previously?

Reply:

A lot of that is covered by what Cllr Evans said earlier – he talked about having to pay the market rates and I am happy to explain how the market works later. One of the things I would say about children's social care is that we have committed extra resource to ensure that we can get the best social workers. We are hearing great reviews from across London about people wanting to here and work in Bromley. One of the most significant things we are doing to make sure that we have permanent staff and to ensure that we have the best in the business working for us is the Caseload Promise. We are promising to have some of the lowest levels of casework in Bromley. We are attracting people here because we are one of the best places to work.

13. From Cllr Kathy Bance MBE to the Resources Portfolio Holder

The volume of casework we are receiving about Housing Benefit debt is increasing, with many residents being in significant debt before they come to us for advice.

What can the Council do to flag up / make contact / referrals when the debt exceeds a certain limit?

Reply:

The Authority is only aware as to the level of a household's rent arrears if brought to our attention by the individual or their landlord. Where it is identified that a person is under imminent threat of eviction there is a procedure to fast-track the processing of any outstanding elements of their claim. However, by this time it is likely that they would have accumulated a considerable level of arrears.

Where there has been engagement at an earlier stage, the Authority has a range of measures in place to help households access appropriate advice and assistance before financial difficulties lead to the risk of homelessness. Depending on the particular circumstances, advice and support can include, negotiations and repayment plans with landlords, maximising income, money, debt and welfare benefit advice, access to credit union, prevention funding and Discretionary Housing Payments, assistance to enter training, employment and secure more affordable housing.

Joint protocols with Housing Associations seek to identify any tenant facing difficulties and work jointly to resolve the financial difficulties or benefit issues to ensure the tenancy is able to be maintained. This work has seen a significant reduction in the level of evictions.

Supplementary Question:

I am sure that the problem really is that people ignore the fact that these debts are mounting up. Most of the people that we are dealing with have some history of mental health problems or depression. I would really appreciate if you could point me in the right direction for the advice and help that we could give them, so that we can publish that and perhaps people will seek help earlier while the debts are still manageable.

Reply:

We should recognise the excellence of our Housing Department. Many Members will have had dealings with the Housing Department, and they were recently featured in a national journal showing the excellence of what they do. Something like 90% of people who present as potentially homeless actually avoid that through the various initiatives that are taken by our staff. We are about to undertake an exercise where we are taking 50 actual cases of homelessness and trying to plot them to see at which stage we could have avoided that happening. As that initiative starts to evolve I would be happy to speak to Cllr Bance because in her geographical area she will have particular expertise that I would like to tap into.

14. From Councillor Peter Fookes to the Care Services Portfolio Holder

How many nurses and care staff are leaving Bromley institutions as a result of the decision to leave the European Union?

Reply:

The answer is zero insofar as Bromley Council is concerned. No leaver from the Council has cited Brexit as a reason for leaving the Council. We do not have the information for other care providers in the borough, so I am only speaking on behalf of the local authority. Unlike a few inner London authorities we do not have a lot of EU staff in our care services.

Supplementary Question:

I do appreciate that we do not have any direct responsibility here for some of these care staff. The reality is that across London 4,000 people have gone back to their home countries and I wonder what we are doing to resolve their problems, so the answer is not nought.

15. From Councillor Nicholas Bennett JP to the Resources Portfolio Holder

How many Freedom Passes are held by Bromley residents, the cost of the passes and the value of the journeys made?

Reply:

Current number of passes in Bromley as of today:

Older persons	60,215
Disabled persons	4,622
Discretionary disabled persons	692

The Freedom Pass cost is estimated for all of the London borough's concessionary journeys made by the 1.2 million pass holders. The 2017/18 cost was £346m; this is for the 375 million journeys made.

The proportion of journeys made by the Bromley pass holders was 3.23% (just over 12m journeys), hence the cost of those journeys is £11,190,000 (but this does also include the administration charge).

An estimate of the cost per pass in Bromley is:

Older persons	£160
Disabled persons	£352
	<i>(these pass holders tend to make 120% more trips than older pass holders)</i>
Discretionary disabled persons	£378
	<i>(these pass holders tend to make 136% more trips than older pass holders.)</i>

Supplementary Question:

Do you agree that the Freedom Pass has been an enormous benefit for older and disabled people in Bromley and has enabled people to travel and get out of their homes far more than they would have done before, and would he scotch any attempt in the elections in 2018 by the opposition parties to pretend that the Freedom Pass will be taken away from the people of Bromley.

(Councillor Nicholas Bennett declared an interest as a holder of a Freedom Pass.)

Reply:

What these figures show is that Freedom Passes are a much valued way of getting older people and people with a disability back into the mix of life. There is a huge amount of evidence about the well-being that results from this. It is money well-invested and well-spent, and money we will protect.

16. From Cllr Angela Wilkins to the Care Services Portfolio Holder

What action is being taken to reduce the number of delayed discharges which result in patients blocking much-needed beds in hospitals because the council has not been able to provide the appropriate social care for its residents?

Reply:

I refer Councillor Wilkins to the answer I gave to Mr Richardson in the Public Questions earlier.

17. From Cllr Ian Dunn to the Care Services Portfolio Holder

Can the Portfolio Holder explain how the Council's services to blind and partially sighted people comply with the RNIB's targets of:-

- Providing everyone with a visual impairment with a face to face assessment,
- Having in place a rehabilitation plan within 28 days of first contact with the Council
- Starting agreed rehabilitation support, within 12 weeks of the initial contact with the Council.

Reply:

The Council ensures its services are compliant with the Care Act 2014 and Schedule 2 of the 1989 Children Act by having a contract in place with Kent Association for the Blind (KAB). The contract requires KAB to be compliant with all legislation and the specification specifically requires:

1. KAB to undertake/arrange assessments of need;
2. Development of a rehabilitation plan in accordance with the outcomes from the assessment;
3. The contractor to implement the support plan in accordance with the Council's Care Manager, if required, and to maintain all necessary records. The support plan to be monitored and reviewed where necessary.

(During consideration of this question, Councillor Graham Arthur declared an interest as his wife was employed by KAB.)

18. From Cllr Kathy Bance MBE to the Chairman of Development Control Committee

We have had several instances recently where trees have been cut down or damaged for various reasons. How often does the Council carry out reviews to ensure TPOs are put in place for healthy, mature trees?

Reply:

New TPO's are considered on a risk based approach:- we assess the need for a new TPO or other protection when sites are coming forward for development or when we gain information that there is a risk of felling of a tree worthy of retention. This approach reflects the fact that there are a huge number of trees in the Borough and the fact that over time the most sensitive trees are protected by TPO's or by other measures such as planning conditions.

19. From Councillor Peter Fookes to the Resources Portfolio Holder

What is the procedure when contractors commissioned by Bromley Council are taken over?

Reply:

There is no set process and the matter is normally determined by a review of the circumstances in each case, taking into account associate service and cost risks, the wording of the contract and the procurement regulations.

The procurement regulations allow for certain changes in contractor without the need for further completion, for example in most circumstances where company ownership changes as long as the new operator satisfies the original selection criteria. Subject to that being the case, the contract will continue as before. Where the change arises from administration/liquidation then the outcome may depend on the actions by others and the arrangements around administration by the Receiver and the requirements of our contract – our standard contract wording gives us the option to terminate a contract where a contractor enters into administration/liquidation or makes an agreement with its creditors.

For contracts above £200k it is usual to seek a bond which can be called down if there is contract failure to offset associated costs including retendering costs.

Supplementary Question:

In the interests of transparency, and the issue that has prompted this question is the takeover of the Landscape Group by IDVerde last year, when are we going to improve Member scrutiny of that decision? I think that needs to be reported to the Executive – does the Portfolio Holder agree?

Reply:

If Councillor Fookes was a member of the PDS Committee he would be able to call to the agenda that item. I am sure that PDS Chairmen are listening, and where they feel that there is a necessity to scrutinise this it could go there, or to the Contracts Sub-Committee.

20. From Councillor Nicholas Bennett JP to the Environment Portfolio Holder

Whether he will post notices on street waste bins prohibiting their use for household waste and subsequently institute proceedings against those who do so?

Reply:

Whilst notices can be and indeed are already appended to bins discouraging such behaviour, instituting proceedings against individuals found to be doing so is a far more difficult matter with a potential to add significant unfunded running costs to the Environmental Services budget.

A paper detailing all related issues in far greater detail is already planned for the Environment PDS within the next two committee cycles.

Supplementary Question:

I am grateful for the assurance that this will be going to come to the PDS Committee. Does he agree with me that this is a very anti-social practice, which we see around the borough, of people using street bins for household waste. Other authorities are now

prosecuting people for doing this because it is not what those street litter bins are for. By clearly having a sign on the bin there can be no excuse for anti-social people doing this. A few choice examples of prosecutions, just as we have done on Audit for fraud, would help to stamp out this problem.

Reply:

I would certainly agree that this is a disgusting anti-social act. However, what I would point out, to use the examples given, is that we have seen many prosecutions, up to about 30 in the last year, for blue badge fraud – but it continues. We have seen prosecutions for benefit fraud, but it continues. We can enforce anything we want, but it comes at a price. That is the key thing that Members will probably want to investigate far more closely in the summer when the paper comes to Committee prior to saying that we will do it without knowing what the hidden costs and consequences will be.