

**COUNCIL MEETING**

**26<sup>TH</sup> FEBRUARY 2018**

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

**1. From Cllr Michael Rutherford to the Portfolio Holder for Education, Children and Families**

Please can the Portfolio Holder outline which schools the 180 pupils who would have attended Bullers Wood for Boys this summer have gone to; and (if appropriate) how larger classes will be accommodated without impacting the quality of education?

**Reply:**

There are sufficient places available in the borough for the local authority to confirm that every applicant who applied on time through the co-ordinated admissions process will receive an offer of a school place on National Offer Day. We are unable to comment on where applicants will be offered a place in advance of National Offer Day.

All but one Bromley secondary schools are academies which make their own decision about their internal organisation, for example the size of classes. However, the number of applications for a secondary school place would not create any reason for schools to increase class sizes.

**2. From Cllr Nicky Dykes to the Chairman of Development Control Committee**

Was the planning appeals team given prior knowledge of when the independent inspector would be doing a site visit in relation to the Bullers wood secondary school application?

**Reply:**

Basically, no. The Planning Inspector's site visit was not an 'accompanied' site visit and the planning appeals team were neither made aware of the date by the Planning Inspector or invited to attend.

**Supplementary Question:**

I think that is actually different to the response that I got in the meeting, which said that they had. Does he not think that it would be prudent for them to at least highlight the fact that there were three sets of emergency works which probably did heavily influence what he saw on that day and did not give a true reflection, and surely, we would want to see a true reflection of the site by an Inspector, so why was that not highlighted to them?

**Reply:**

I actually agree with you, and it did not happen.

### 3. From Cllr David Livett to the Leader of the Council

The Leader will be aware that the Pension Fund lost £1.75m from a single transaction after a failure to follow UKIP advice to the Pensions Investment Sub Committee, advice that had received strong cross party support. What action does the Leader propose to take to address the failings highlighted by this loss?

#### Reply:

Cllr Livett has added his own very positive contribution to the Committee in recent years, despite what follows next as it is not accepted that a loss of any description arose within the context when considering how a pension fund is operated and advised on longer term horizons, rather than short term variations to stock market levels.

I am advised that the matter in question was discussed at the Pensions Investment Sub Committee meeting on 16th May 2017 and the minutes, which were agreed at the subsequent meeting, are publicly available. At that meeting, as indicated in the minutes there was a discussion about the sale of assets with different views expressed but no decision was made at the meeting relating to the final arrangements for a sale.

Any member of that committee acts as a trustee of the pension fund to protect pension fund member interests and council tax payers, and party politics do not play any part in that role. In fact the committee, with Councillor Livett as a member, has raised concerns previously, that politics has no role to play when the committee has discussed the governance of the London CIV, which is a disastrous story in motion.

UK pension Law requires that those charged with governance need to take professional advice in respect of their fiduciary duties towards beneficiaries.

A decision was made to sell global equities to meet the transfer value relating to the transfer of pension fund liabilities for various college staff to the London Pensions Fund Authority. Advice was received from the Council's independent financial advisors and their recommended action was agreed by the Chairman and Vice Chairman of Pensions Investment Sub Committee, under the delegated authority on behalf of Pensions Investment Sub Committee. The advice received and a brief commentary is provided below.

*(The Council's independent advisers, Allenbridge, advised that the Council sell global equities (Blackrock) up to the transfer value for the following reasons:*

- *The asset allocation strategy has been revised to reduce the council's holding of Global Equities and Diversified Growth Funds;*
- *The allocation for global equities is significantly overweight compared with the existing and future strategic benchmark (81% prior to Blackrock sale when it should be 70% and reducing to 60%) – the significant overweight position highlights a key risk, particularly when retaining a more volatile asset. The actuary recognised the position of the pension fund and the need to reduce the element of higher risk assets;*
- *They viewed equities as having high volatility and with their strong performance there was a greater risk of a price correction which has recently been evident in the financial markets – there are many articles referring to the risk that equities are overpriced but I accept no one can be certain.*

*The decision made had to take into account any down side risks that could be realised. If the downside risk was realised I am sure this question would not have been asked. There were many risk factors in the market at the time including uncertainty relating to North Korea.*

*Being a trustee in a pension fund is not about making short term judgements but it is about making long term decisions, managing risk, being able to meet pension liabilities and achieving a sustainable high funding position.)*

What has this approach achieved in recent times?

The longer term approach the Trustees have achieved is remarkable. We should be celebrating that we have achieved the first of its kind in the country in the “gifting” of assets to the pension fund which has led to direct financial savings (£1.5m per annum, which is expected to increase in future years). The Council’s pension fund has received national recognition for being the best performing local government pension fund last year, over 3 years, over 5 years, over 10 years and the second best over a 20 year period – this is what we should be judged on. A high performing fund not only benefits the members and employers of the pension scheme but also keeps costs low for council taxpayers.

**Supplementary Question:**

He confuses long term performance with a single investment decision. That single investment decision was buy or sell. That was a loss of £1.75m. What we have here is some confusion over the way this Pension Fund is run. It has been successful, but that is very largely due to enormous foreign exchange profits. The Local Government Pension Scheme regulations require that the Council has four members of its Pensions Board, the Council has only two. And has knowingly been in breach of the law since July 2017. Its actions to rectify this have failed, what does he propose to do about it?

**Reply:**

I suggest that if Councillor Livett thinks that the Council has acted outside of the law in any way he should have an urgent conversation with Mr Bowen because that would be wrong on every level and I would agree with that. The only aspect that I would respectfully disagree with Cllr Livett on, as a fellow old-timer in the city, is that whilst you could have made a short-term trade that would indeed have made more in the short-term, had the market gone the other way and there would have been a loss you would not be having this conversation today. Pension funds do not work on short termism – they work on long ten, twenty, thirty forty year stretches of investment, and that is possibly where we are set to disagree.

**Additional Supplementary Question from Councillor Angela Wilkins:**

The Pensions Board has not met and it is not constituted. That is in breach of the law. Is the Leader concerned about that and if so what is he going to do about it? Does he think it is appropriate to introduce a question that was never asked of him into his reply in order that he can give a speech and a sermon on how well that pension fund is performing?

**Reply:**

In response to the second question, absolutely, because Councillor Wilkins answers her question without any big preamble herself. In answer to the first part, I would suggest that if we are acting outside of the law in any way Councillor Wilkins discusses it with Mr Bowen, because that is not my information.

**Additional Supplementary Question from Councillor Graham Arthur:**

Can I just pick up on something the Leader has said and suggest that Councillor Wilkins looks at this. This is the award that was given to Bromley Pension Fund for being the most outstanding Pension Fund in the country. Is the Leader aware of this, and would he join with me in suggesting that people in the opposition parties should celebrate excellence and not criticise it?

**Reply:**

Very much so. Furthermore, if I could pay a compliment and give real praise to all Members of the Pension Fund over the last five to ten years of all political parties, achieving awards like this does not happen by chance - it is hard work. Intelligent people making the right decisions. No trader on earth gets every trade right – markets do not work like that. That is a testament to how good our guys are.

**4. From Cllr Nicholas Bennett to the Renewal and Recreation Portfolio Holder**

If he will set out the timeline of actions taken by the Planning Department subsequent to the decision of the Development Control Committee on 4<sup>th</sup> October 2017 to approve the application for the proposed Bullers' Wood Boys School and, in particular, why the decision had not been implemented prior to the publication of the Inspector's report into the first appeal on December 12<sup>th</sup>?

**Reply:**

The reason that the decision had not been issued by 12th December was that the section 106 legal agreement had not been completed by that time. As the report to the 4th October meeting recommended refusal, conditions and heads of term for a section 106 had to be formulated and then worked up with the Developer's agents to enable a planning permission to be issued. The application was also referred to the Mayor of London and the Secretary of State.

The timeline of all this is as follows -

- 4th October 2017 – Development Control Committee resolution to grant planning permission.
- 19th October 2017 – Set of conditions and s106 heads of terms finally agreed between applicant and Council as far as possible.
- 20th October 2017 – Conditions and section 106 heads of terms sent to DCC Chairman for consultation as per committee resolution.
- 7th November 2017 – After internal consultations as to the matters to be secured a draft section 106 for second application provided to developer's solicitor for comment. Also it was confirmed the draft could be sent to the GLA concerning referral to the Mayor.
- 23rd November 2017 – The developer's solicitor was advised that the Mayor and Secretary of State have declined to intervene in the second application.

24th November 2017 – 11th December 2017 - Continued exchanges of emails between the Developer's solicitor and the Council's Legal Section to work up the draft section 106 agreement into an agreed form.

11th December 2017 – The two outstanding details between the Developer's solicitor and the Council's Legal Section concerned the carbon offsetting contribution and the timing of the Highway Works (and in particular whether a signal crossing on Bickley Road could be in place prior to the use of the temporary buildings). The Council's Legal Section, before the issue of the Inspector's decision on 11<sup>th</sup> December 2017, regarded engrossment of the section 106 to be imminent.

That takes us to 12<sup>th</sup> December when the decision was received from the Inspector.

**Supplementary Question:**

Can he tell us what happened between the 20<sup>th</sup> October, when it was referred to the Chairman, and the 7<sup>th</sup> November? When did the Chairman come back to him with his approval? What is the normal procedure, when a decision is made by a Committee, that it should take something like nine weeks before it is published?

**Reply:**

I cannot answer the first part of the question – the Councillor to my right (Councillor Dean) knows the answer to that, but it was replied to in reasonable time. As to whether this is normal, who knows – section 106 agreements are sometimes extremely complicated. It requires two to tango and I think our Legal Section was not at fault – I wish the same could be said about the applicant.

**5. From Cllr Peter Fookes to the Education, Children and Families Portfolio Holder**

How much public money has been wasted in not delivering a new secondary school at Bullers Wood Boys?

**Reply:**

This does answer Jayne Burman's question from earlier about Council spend on planning decisions on Bullers Wood school for Boys.

In total, the Council has received a sum of £38,277 relating to the planning application for Bullers Wood School for Boys.

This sum includes pre-application fees of £10,948 to cover its costs of providing that service, and £27,329 for planning application fees. The planning application fees are set at a national level and are intended to substantially cover the Council's planning costs, which in this case would include the cost of the transport consultant, £8,366. The planning application processing costs are not recorded by timesheets at a case-by-case level, but overall costs are monitored in total at service level. In addition, it has been estimated that the Highway Development Team have spent approximately 72 hours on this application, with an estimated cost of £2,560.

So overall, the Council would have incurred net costs of £2,560.

**Supplementary Question:**

I think it was a very disingenuous answer from Councillor Fortune, because I am certain that it was far more than the figures he quoted there, although I accept that he is doing his best to resolve this fiasco, and that is what it is. Would this fiasco not have occurred if this local education authority was still in charge of planning and running school places in this borough? Is it not really down to his government, and your friends in government at the time in the Liberal Democrat party for their fiasco – they have got to take some responsibility as well.

**Reply:**

I cannot answer a hypothetical question about whether or not if we still had planning for schools in-house it may have been different. I do genuinely take issue with Councillor Fookes' remark about being disingenuous, and I would be very grateful if he would withdraw that remark. (Councillor Fookes stated that he stuck by his statement.)

**6. From Cllr Angela Wilkins to the Leader of the Council**

What does he think are the key differences between being a ward councillor and being Leader of the Council?

**Reply:**

One never stops becoming a ward councillor, no matter what role you move on to fulfil. Clearly being the Leader of the Council holds significantly more responsibility, gives you responsibility for oversight of many of the committees, but interestingly not General Purposes and Licensing, Development Control or the Health and Wellbeing Board, all of which sit outside of the executive function of which I am the chairman.

**Supplementary Question:**

Do you now concur with your Deputy Leader and the Portfolio Holder for Education, Children and Families that there is a shortage of school places in this borough? That we do have an allocated site on St Hugh's playing fields and you might like to support that campaign? Would you like a free sticker if you are going to say yes?

**Reply:**

I absolutely do accept that there is a school place shortage in the borough of 12 forms of entry, on this Council's measurement, and, when you add in the GLA's 5% variation, up to 19 forms. I note that I said 2022. In the pipeline we have, potentially, Harris at Sydenham, which offers six forms of entry, possibly more, in the north-west of the borough. We have two applications in the centre of Bromley, the Shaw Academy at Bromley South, offering up to six forms of entry, we have the potential for a school site at Bullers Wood in central Bickley, offering the potential for six forms of entry, and we also have the potential for a long awaited, long rumoured Roman Catholic School in the north of the borough, in the Chislehurst direction, which actually fulfils, if they are all granted, twenty four forms of entry extra before 2022, and on that basis you could actually be running a surplus.

**Additional Supplementary Question:**

Do you support the creation of the Bullers Wood Boys School on the St Hugh's site, and if not why not?

**Reply:**

My position is constant and has been from the first application on 25<sup>th</sup> January, and if Councillor Dunn listens to the tape he will hear me say that, in principle, the ward councillors have never had an issue with this, and indeed some of the applicant's own team will confirm those very conversations. What we have said throughout is that the traffic and the road safety do not work, that there is a danger caused there and an overloading of congestion on a busy road network, a key arterial road for the borough, and until those road safety measures are mitigated I am opposed to them, because road safety trumps all.

**Additional Supplementary Question from Councillor Nicholas Bennett:**

Would the Leader of the Council agree with me that it is entirely right that no planning committee should be asked to pre-determine an application, that they should go into a meeting with an open mind to listen to the debate, but it is important, and would he not agree that, for the future of the Council, we should be looking to ensure that planning committees are aware of the strategic objectives of the Council when they make their decisions?

**Reply:**

I do not oversight of Development Control or planning committees, which are not executive functions. My own view is that, legally, members of planning committees cannot be dictated to as to which way they vote. They need to be left to judge each application on its merits based on the evidence before them. There were clearly Members of the Committee on 4<sup>th</sup> October, just as there were on 25<sup>th</sup> January, who had made up their minds in both directions, whether they were for, or against. Whether that is a good thing or a bad thing is to a degree subjective – some people thought that school places should carry prioritisation, others thought that road safety was most important, and that is the current mismatch.

**Additional Supplementary Question from Councillor Vanessa Allen:**

I am not sure who Councillor Smith is referring to with the predetermination. Those Members who sat through the Local Development Plan Working Group meetings were obviously supporting the school here. I am concerned about the numbers because we have been told about the increased risk of road safety problems. According to the website there are 1,500 girls, and the proposed school is 900. We were given the impression earlier that there were more boys than girls, but that does not appear to be the case. I would like confirmation of why the road safety is being given a higher priority than the numbers would suggest.

**Reply:**

I am not clear that you can match the numbers up in that way. I can only repeat that I do not have oversight of the Development Control Committee, far from it. When I spoke against the application on 4<sup>th</sup> October I was roundly ignored and it was approved, so that is how much attention they paid to me. All I would say is that road safety, I believe, is paramount and that the applicant has had two years to present a scheme that works in congestion and road safety terms and they have failed to do so, which is why I continue to support those colleagues who voted against it on the night.

**7. From Cllr Ian Dunn to the Environment Portfolio Holder**

The Neighbourhood Teams are the Council's "Front Line" in ensuring that our Contractors clean our streets and empty our bins properly. There have been

numerous vacancies in the West Neighbourhood Team in recent months. Please provide the number of officer weeks of vacancy at both Neighbourhood Manager and Neighbourhood Officer level for the West Team in 2017 and 2018 year to date.

**Reply:**

The West Area Team was reorganised on an interim basis when the vacancies of the Neighbourhood Officer 1 and the Neighbourhood Manager (Parks Service) arose. The interim management solution employed for the West Area since 20<sup>th</sup> August 2017 has been Jim Cowan, Neighbourhood Manager and the Neighbourhood Officer for the West Area has been Laura Bond for waste service related matters and Catherine Heard and Anthony O'Donnell for parks, grounds maintenance and street cleansing matters. The interim officer solution for this area has been in place since July 2017.

The current progression for recruitment is as follows; the vacant Neighbourhood Officer is now filled (vacant for 36 weeks) and the Neighbourhood Manager post (vacant for 26 weeks) is expected to be filled soon as it is being finalised through the collecting of appropriate references.

**Supplementary Question:**

Your response in December said that a Neighbourhood Officer ought to do about ten inspections a day, so if we have had twenty six weeks of vacancy by my reckoning that is over a thousand inspections that have not been carried out. Is it any wonder that our streets are not as well cleaned as they ought to be?

**Reply:**

My response in December was that the Area Manager had been acting down to carry out those extra inspections.

**Additional Supplementary Question by Councillor Angela Wilkins:**

Can I ask whether the other Neighbourhood Offices have experienced the same difficulties – absences of staff for a prolonged period of time.

**Reply:**

In these cases the employees of the Council have chosen to move on, rather than been absent for illness or anything else. Officers were allocated to individual wards a good period ago – I do not think there is any connection between which wards they represent and those officers who have chosen to move on for career reasons.

**Point of Personal explanation:**

Councillor Angela Wilkins explained that what she was getting at was that two officer posts had been vacant for a number of months. Some staff had been listed, but they were not dedicated to these wards, and the wards were suffering as a consequence. Was this happening in the other Neighbourhood Offices in the borough?

Councillor Huntington Thresher explained that the Team reacted to cover illness, holidays etc. Where officers moved on for career or other reasons this just happened to be where they moved on. Officers in other areas had not moved on and they had not needed to fill posts in those areas.

**8. From Cllr Vanessa Allen to the Resources Portfolio Holder**

With reference to the Voter Identification Pilot in Bromley, the Cabinet Office website clearly states that the form of identification to be used will be set by the Council. Why

then have we been saddled with some of the most onerous conditions of any of the five participating councils?

**Reply:**

I am not sure you have done your homework on this one. The purpose of the pilots is to test a variety of options.

Voters at Bromley will be able to use 24 separate types of photo and non-photo ID. Voters at Gosport, for instance, will be able to use 19 types of photo and non-photo ID. Voters at Woking will be able to use 11 types of ID, but this is limited to photo ID only. Voters at Watford and Swindon are piloting using poll cards with Swindon using enhanced IT to scan those cards, but for the many voters who may turn up without a poll card then at Watford there are only 6 acceptable types of photo and non-photo ID which can be used and at Swindon only 5 types of photographic ID will be accepted.

Bromley has the widest overall range of ID and in common with most of the pilots also includes provision for a Certificate of Identity for those voters who do not have the necessary ID.

**Supplementary Question:**

Who exactly made the decision for us to participate and for the forms of identification which we require to be produced?

**Reply:**

It was left to each of the pilots to determine what they were going to do, individually. We have obviously taken a lead in the way that is done currently in other parts of the United Kingdom - in Northern Ireland where it has worked successfully for some time - and we have taken the same sort of ID requirements. I do not believe that the electors of Bromley are any less savvy than the electorate of Northern Ireland. I think that we should have confidence in the way that we are spinning this out in Bromley and we should be very proud of the way it is being done. The Returning Officer is taking the lead on it. It would be helpful as this is spun out in the next two and a half months if a briefing document is given to Members because Members do have a big role to play in this in terms of spreading it out amongst their residents and electors.

**Additional Supplementary Question from Councillor Tony Owen:**

What is required from Proxy Voters?

**Reply:**

I am unaware of the answer – we will write with the answer.

**Additional Supplementary Question from Councillor Simon Fawthrop:**

Can the Portfolio Holder explain why the Labour Party seems so opposed to Voter ID, one would have thought that they would want to make sure that every voter was accurate going to the polls.

**Reply:**

I feel inadequate to explain how the Labour Party works or thinks, but it is worth reflecting that this has all party support.

**Additional Supplementary Question from Councillor Wilkins:**

Can the Portfolio Holder explain why letters such as DWP benefits letters and their equivalent have not been included on the list and does this not disadvantage lower paid people who are less likely to have photo ID? My Post Office requires just ordinary ID – not photo ID. I am suggesting that they are less capable of affording things like passports in some circumstances.

**Reply:**

I am at disadvantage – you are asking a very specific question. Are you suggesting that someone who is unemployed or claiming benefits is less capable?

I think if you ask the majority of people to turn out their pockets they would have the necessary ID on them – it could be a driving licence, other photo ID. Most people would say that they have a passport that they could produce. If somebody does not have any of the requirements they can get a certificate in advance so that they can vote, so nobody is prohibited from voting.

**Additional Supplementary Question from Councillor Dunn:**

I do not think I heard an answer as to who made the decisions?

**Reply:**

The Returning Officer.

**Additional Supplementary Question from Councillor Payne:**

My understanding is that the Cabinet Office asked us if we could do it and we said yes and we are getting on with it. If they have no certification whatsoever they can apply for certification. What is the last point at which they can ask for the certification? I believe it is the day before – is that correct?

**Reply:**

It is the day before.

*(At this point the time allowed for oral replies expired; the remainder of the questions received written replies.)*

**9. From Cllr Russell Mellor to the Renewal and Recreation Portfolio Holder**

Can the Portfolio Holder advise me as to his understanding of the 56 day prior approval, for certain planning applications?

**Reply:**

The 56 day 'prior approval' process for Planning applies to a number of different types of prior approval applications. These are applications where the principle of permitting the development is granted by the Town and Country Planning (General Permitted Development)(England) Order 2015, however some matters subsequently require the 'prior approval' of the Local Planning Authority. These matters vary in each case, but range from siting and appearance to highways impacts and noise. Such applications are time limited and the legislation sets out that the applicant benefits from an automatic approval should a decision not be delivered to the applicant within the 56 day time frame.

**10. From Cllr Ruth Bennett to the Leader of the Council**

What financial and other assistance has the Council provided to London South East College for the establishment of an Aerospace and Aviation Technology College at Biggin Hill?

**Reply:**

At this point in time no financial assistance has been provided to London South East College (LSEC) for the establishment of an Aerospace and Aviation Technology College at Biggin Hill.

The borough has been party to discussions with the College about the Technical College at Biggin Hill over the past twelve months. More recently these have focussed on the possibility of providing a commercial loan facility which the College is currently considering.

Given that no formal decision has been made and that we are also dealing with the business and financial affairs of another organisation then you will appreciate that I cannot say too much in Part 1 at this stage.

I am pleased to confirm that the Council will require appropriate security and insurance arrangements, as well that any recommendations eventually arrived at, will be subject to wider Member scrutiny in the usual manner.

**11. From Cllr Michael Rutherford to the Renewal and Recreation Portfolio Holder**

In response to the Grenfell Tower disaster last year, the Renewal and Recreation PDS Committee has sought confidence that residents of the London Borough of Bromley are safe at home, regardless of whether they live in public or private sector accommodation. Please can the Portfolio Holder outline the steps the Council has taken to gain assurance that tall buildings are safe, and any further steps that are planned?

**Reply:**

Social Housing:

Immediate action was taken by senior councillors and officers during the summer 2017 to meet with those housing associations that have tower blocks in Bromley to gain reassurance that these met fire safety standards and had all the necessary risk assessments and procedures in place. All tower blocks underwent full inspections and it has been confirmed that none of the tower blocks were identified as having any high risk factors and none have flammable cladding requiring any remedial work. At this time the leader issued a statement confirming the position. Housing associations also contacted residents directly to provide assurances.

Since this time ongoing monitoring continues to take place in partnership with the fire brigade and GLA to work with all social housing providers in the borough to confirm that all necessary measures are in place to ensure the safety of residents. This work has also included all commissioned accommodation and placements included supported housing, temporary accommodation and care homes.

Private accommodation:

Through a combination of contact with the persons responsible (usually the freeholders and their agents) and visual inspection of buildings, it has been found

that either the buildings do not have cladding or the persons responsible have already addressed the assessing and testing of the cladding materials to the exterior of the buildings. No significant risks have been identified and where necessary the persons responsible have ongoing arrangements in place for the continued investigation and assessments to safeguard residents. The Council is monitoring information and advice that the Government is publishing.

**12. From Cllr Nicky Dykes to the Chairman of Development Control Committee**

Has the Development Control Committee approved the Council's Local Plan?

**Reply:**

Yes the Development Control Committee recommended the approval of the submission draft Local Plan to the Executive, it being an Executive function. The Local Plan is currently at Examination stage.

**13. From Cllr Nicholas Bennett to the Leader of the Council  
(answered by the Education, Children and Families Portfolio Holder)**

How many additional school forms of entry and pupil places will be required by 2022-3 and what steps the Council is taking to ensure it meets its' statutory duty to ensure sufficient places?

**Reply:**

In addition to the capacity from projects which already have planning consent, at Eden Park High School (8 forms of entry) and the expansion of Bishop Justus (2 forms of entry), the 2017 GLA school roll projections indicate the need for an additional 12 forms of entry by 2022/23. The proposed schools at Harris Sydenham, Shaw Futures Academy and Bullers Wood for Boys would provide 18 forms of entry.

The Council will continue to work with the Education and Skills Funding Agency to help them provide these schools and, if there were delay to these schemes, the Council will work with existing schools to ensure there are sufficient places available in the long term.

**14. From Cllr Peter Fookes to the Environment Portfolio Holder**

Why have residents with parking permits in the proposed Penge CPZ now been informed that they can't use the pay and display bays without being charged further?

**Reply:**

I understand that the wording of a letter sent to residents was incomplete as it omitted the rules that applied outside the hours of the permits validity, the department has apologised for this. In light of the recent correspondence received from concerned residents I am inclined to make changes to this scheme to try to ensure that no resident feels disadvantaged. You and your colleagues' views were requested on a proposed way forward by email last Friday. I would hope that the precise nature of the new proposals can be communicated to all affected residents by letter within the next two weeks.

**15. From Cllr Angela Wilkins to the Leader of the Council**

As the minutes of the February Executive meeting have not been published, please can you repeat your response to Andrew Ruck's question: "Why did Cllr Dean not manage and direct the DCC meeting on 25 January in accordance with the Chief Exec's brief to ratify the decision from October and follow the guidance of the Planning Officer that the decision could be ratified?"

**Reply:**

The draft minutes have now been circulated to all Councillors and therefore they are available to Cllr Wilkins.

**16. From Cllr Ian Dunn to the Resources Portfolio Holder**

Please explain the difference between using Reserves to fill gaps in the revenue budget, with the use of £17.5 million, representing several years surplus from the Council Tax Collection Fund to partially fill the revenue budget gap of £22.7 million in 2019/20?

**Reply:**

A collection fund surplus cannot be used to support the revenue budget in the year it arises. The timing of its use is set out in relevant Fund Regulations and is dependent on when it is reported. In practice this means that the transfer from the collection fund will take place in either of the two financial years following the year in which it was generated.

In this case, rather than using in the year it became available, £13.5m of prior year surplus has been set aside in an earmarked reserve so that it can be carried forward into 2019/20 to mitigate against the budget gap over financial years. It has been estimated that a further collection fund surplus of £4m will be available towards the budget in 2019/20.

Reserves are not subject to the same Regulations and can be utilised at any time, subject to the council's approach to reserves as set out in appendix 4 of the 2018/19 Council Tax report.

Neither source of funding will provide ongoing support to the revenue budget and should only be considered as one-off support in the short term.

**17. From Cllr Ruth Bennett to the Education, Children and Families Portfolio Holder**

Would the Portfolio Holder give a statement on the current situation with regard to the proposed Bullers Wood School for Boys?

**Reply:**

The Council is in communication with the DfE about the proposed school. A decision is still awaited from the DfE about whether the school will be opening in temporary accommodation for September 2018 entry.

**18. From Cllr Nicky Dykes to the Chairman of Development Control Committee**

What is the justification for Development Control Committee refusing to ratify previous approval of the Bullers Wood application?

**Reply:**

The justification for Development Control Committee refusing to ratify previous approval of the Bullers Wood application is as set out in the minutes of the January 2018 meeting.

**19. From Cllr Nicholas Bennett to the Environment Portfolio Holder**

On what dates and times Parking Enforcement Officers have been in The Mead and Hawes Lane, West Wickham, since 2<sup>nd</sup> October 2017 and how many tickets have been issued for parking contraventions on each occasion?

**Reply:**

There has been one patrol which resulted in a penalty charge issued to a vehicle for being parked on the footway in The Mead.

There have been 11 patrols which resulted in 25 penalty charges issued to motorists for parking on single / double yellow lines and on the footway in Hawes Lane.

**20. From Cllr Peter Fookes to the Public Protection and Safety Portfolio Holder**

How many police officers and PCSO's have been lost in Bromley since 2010?

**Reply:**

We asked Bromley Police for the figures that you have requested, and they replied that it is too difficult to break it down into actual numbers for the past 8yrs. In that period of time they have moved from Neighbourhood policing, to the local policing model and they are now beginning the transition to Basic Command Units. Over that period the Borough's working strength has fluctuated in accordance with the Home Office and MPS requirements.

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

How is this Council performing in relation to extra care provision and delayed discharges?

**Reply:**

Against last year, significant improvements have been seen in Bromley's reported Delayed Transfers of Care (DToC) as a result of exemplary integrated working of health and social care to support people who no longer need to remain in hospital. This includes step down beds in ECH which are supporting the overall improved DToC position.

**22. From Cllr Ian Dunn to the Environment Portfolio Holder**

What are your thoughts about the recent extremely serious accident on Elmers End Road, where bollards, a front garden wall and a part of the front of a house were destroyed?

**Reply:**

This was a dreadful incident which must have caused terrible shock to the residents and neighbours especially since it happened in the early hours of the morning when they were probably asleep.

We have had very little information about this case but we understand it is part of an ongoing Police Investigation. Reports we have seen state that the driver ran away from the scene and we are not aware of the driver being apprehended yet. As a result of the driver decamping we suspect that this incident was a result of some kind of driver error rather than a specific fault on the highway but if the Police investigation suggests that any highway improvements are required we will look into them.