

COUNCIL MEETING

8TH OCTOBER 2018

QUESTIONS FROM MEMBERS OF THE COUNCIL FOR ORAL REPLY

1. From Cllr Simon Jeal to the Portfolio Holder for Adult Care & Health

How and why did the budget for Adult Care move so dramatically from underspend to overspend between 2015-17 and 2017-18/current?

Reply:

With the greatest respect, the advice I have received is that this is not the case at all. The budget for 2017/18, for example, having closed £330k underspent.

Supplementary question:

The most recent financial outturn report presented to the Adult Care and Health PDS Committee identified that there were significant management savings that had been budgeted but not yet identified - I believe in excess of £500k. Given recent Ombudsman decisions regarding care package cuts, and additionally a case where a resident of Bromley had their care package cut by 60% and then re-instated, could you confirm how you intend to ensure that management savings that are carried out in line with budgeting do not inappropriately cut care packages to Bromley's most vulnerable residents?

Reply:

I would like to reassure Members that, particularly with reference to the case that you have identified, I am well aware of the individual circumstances of that case; I do not think it is appropriate to discuss that case here in the chamber, but I will be very happy to meet with you and Councillor Wilkins and officers to discuss any concerns that you have. Moving forward, with regard to the management action that we are anticipating, there are certain initiatives with our health partners that we are working on, particularly around reablement, rehabilitation, intermediate care and reviews of care packages, in line with the ability of staff to manage and supply appropriate care to the most vulnerable residents in our borough.

2. From Cllr Angela Wilkins to the Portfolio Holder for Public Protection and Enforcement

What benefits does CCTV provide?

Reply:

The benefits of CCTV include:

- Better targeting and use of police resources;
- Cameras deter criminal activity and disorder;
- Greater detection of incidents and identification of criminals;
- Quality evidence - a fearless and accurate witness;
- Prevention of incidents before they begin;
- Instant assistance with accidents/people taken ill;
- A greater chance of finding missing persons quickly;
- Decreased fear of crime in areas covered by CCTV;
- A 24 hour continual presence protecting communities;

- Real time direct links with local Police via dedicated police radios and a direct telephone link;
- Direct links with local businesses via a radio link system which enables retailers, including pubs and clubs, the control room and other organisations in Bromley town centre to speak to each other, immediately.

Supplementary question:

Given that Betts Park is treated by local residents as a “no-go” area now, will she reconsider her earlier decision to not install CCTV and lighting in Betts Park?

Reply:

After the Michael Jonas murder, and obviously our thoughts are still with the family, we did speak to the then Borough Commander, Chris Hafford, and he said that it was not a magic solution to this problem and he did not recommend CCTV. When Paul Warnet took over we asked him the same question and he agreed. As recently as Tuesday last week, myself, Nigel Davies and Paul Warnet met again and we asked the same question and he re-affirmed their position that they did not believe CCTV was the answer. We take notice of the professional opinion of the Police; when we do have CCTV we need Police support, so, as it stands, we do not think that it is the right solution to the problem in the area.

Additional supplementary question from Cllr Kathy Bance:

Are you aware that people will not use Betts Park because they see it as a no-go area, and therefore what would your solution to that problem be?

Reply:

A solution is more regular patrols by the Police, which they are doing, as are Ward Security. Lighting is not the answer either, as that attracts people at night and we do not want to give the impression of a safe place if it isn't, and CCTV is not the answer. You can come to me and give me some answers and I'll listen, but I do not believe it is a no-go area.

3. From Cllr Kathy Bance MBE to the Portfolio Holder for Public Protection and Enforcement

What is the cost of installing a single CCTV unit in our parks?

Reply:

It is not possible to give an accurate quotation, as the amount will depend upon the particular circumstances of a location and what type of camera.

Councillor Bance asked for a ball-park figure and Councillor Lymer responded that there had been some work carried out following the incident last year and the cost to install a camera in Betts Park had been identified as £17,000.

Supplementary question:

We are all aware that CCTV would not have stopped that murder - if people are determined they will find somewhere where there aren't cameras. You yourself mentioned that CCTV is good at ameliorating the perception of crime. I live close to the ward and I know that it is a no-go area. It is not used; there is exercise equipment right at the front of the park which is used daily, but by about 4pm/5pm it is only used by youths.

Does the Council know of any funding that we could apply for to get CCTV in that park, as we do believe that it is the answer?

Reply:

The issue is not one of costs but whether it would be effective, and at the moment the Police and Council officers believe it will not be effective.

4. From Cllr Ian Dunn to the Portfolio Holder for Environment & Community Services

What response has Bromley Council made to the statutory consultation on the closure of the ticket offices at Crystal Palace, Penge West and Anerley stations.

Reply:

Having seen your question, I have delayed the Council's formal response until after this meeting. In general, I am inclined to suggest that the Council welcomes reviewing and modernising service provision. The Council also will reserve its right to support residents and highlight issues should they arise. I also intend to seek further information regarding their contingency plans for staff absences.

Supplementary question:

How will you take into account the special needs of the elderly, the disabled and other vulnerable residents for safe access to the rail network in your response to London Overground?

Reply:

The statutory consultation is only related to the staffing provision and staffing plans at the London Overground stations. In principle, having the staff on the platforms will make them far more accessible to the elderly and anybody with mobility issues. The statutory consultation is not related to step-free access. We are happy to continue to lobby TfL and London Overground as previously discussed.

Additional supplementary question from Councillor Nicholas Bennett:

As these stations are controlled by TfL, which is under the direct control of the Mayor, should not Councillor Dunn be making his representations to Sadiq Khan?

Reply:

All members can respond to the statutory consultation and I would encourage members who feel strongly to make their own representations.

5. From Cllr Vanessa Allen to the Portfolio Holder for Resources, Commissioning & Contract Management

Divestment from fossil fuels is increasingly supported and indeed encouraged by a varied selection of people including the Irish government, finance advisors around the world, the pope, and the Mayors of New York and London, so will the Portfolio Holder look into removing these investments from Bromley's pension fund and direct the funds towards more environmentally friendly businesses.

Reply:

Our investment approach is to appoint active fund managers who look at sustainability of returns and capital values of investments, and we would not want any restrictions that could impact on maximising returns in the interests of members of the fund, and also keeping costs low to Council Tax payers. Our fund managers therefore take a long-term view which means that environmental issues such as the use of fossil fuels have to be

researched, considered and understood by our asset managers when making an investment. Our asset managers each employ teams specifically focussed on environmental, social and governance issues, because these issues will affect the companies they choose to invest in over the long-term time-frame.

We believe that pre-determined divestment on a rules based approach is contrary to government guidance, if not evidence based, and does not form part of our responsible investment approach.

Supplementary question:

How then, in view of what you have just said, do you propose that Bromley addresses the issue of global warming following the latest report?

Reply:

It would be unreasonable to expect this Council by itself to solve the issue of global warming. If you could tell me precisely which investments you are concerned about, specific to Bromley's pension fund, then I can give a more approach rather than one that has been written by Labour party headquarters. In essence, we do not posture and we do not play games with the money of our members.

Additional supplementary question from Councillor Michael Rutherford:

Could the Portfolio Holder confirm how Bromley performed in this year's Municipal Pension Awards?

Reply:

Last month, at the Savoy Hotel, Bromley were once again declared the most effective and efficient and with highest returns pension fund out of eighty nine pension funds considered. It is the second year that we have done it and I think that is a unique feat and something that we should be proud of. When I was asked how we had achieved that I said that we had a very efficient and well-connected Sub-Committee of Members, led by Councillor Onslow, who has done a superb job. We also have an excellent finance staff, led by Peter Turner who was there with me last month at the Savoy collecting the award. When I was saying that and that we do also assemble the experts and keep them on their toes, there was a sagely nod about the place. I could not help but feel that I might have received a different reaction if I had said we get our inspiration from the Irish Government and we receive subliminal messages from the Pope.

6. From Cllr Marina Ahmad to the Portfolio Holder for Children, Education & Families

What oversight does the Council have in ensuring our Academy schools are not "over aiding" pupils who are taking exams?

Reply:

Just to set out what an academy is, they are independent state run schools, which receive their funding direct from central government, rather than from a local authority. Day to day running of the school is with the head Teacher or Principal and they are overseen by individual charitable bodies called academy trusts, and may be part of an academy chain. These trusts and chains provide advice, support, expertise and a strategic overview. They control their own admissions policies and have more freedom than other schools to innovate. So, it is about stressing the independence of these academy schools. When it comes to the overseeing of exams that really is the responsibility of the Standards and Testing Agency (STA), an agency of the government that is responsible for setting and maintaining test standards.

The local authority's statutory duties are carried out on behalf of the STA, using a process prescribed by the STA, and are limited to monitoring Year 1 Phonic tests and Key Stage 2 tests in a 10% sample of schools. The local authority selects the sample on a rolling programme and, on occasions, the STA will specify which schools they want monitored. It really is down to the responsibility of the STA.

Supplementary question:

Two weeks ago, the Department for Education scrapped SATS results for some year 6 pupils at Harris Academy, Kent House, in Penge. A month earlier, Harris Academy, Philip Lane in North London admitted it had over-aided pupils in SATS and results were withheld by the Standards and Testing Agency. Does the Portfolio Holder agree that we now need a mechanism for having local authority trustees on academy boards to ensure that this trend does not continue.

Reply:

I think the case that is highlighted in Kent House is a very sad one. I am confident that the leadership in that school is taking the appropriate steps. I do not agree with the assertion that the local authority should start to seize back control from the academy schools. In fact, if we remember what the academy schools were set up for and we go back to the father of academies, Lord Adonis, the Labour Party Minister for Education, he said it was all about giving children an equal start in life. If we look at some of the results across Bromley on the key stage 2 headline data we can see that they are getting those results. If we look at the reading results we are fifth in the country, if we look at the maths results we are sixth in the country. If we look at the writing results we are first in the country. Despite unfortunate cases, children here are getting a great start to their education. While I was looking up Lord Adonis' views on the academy chains I came across a recent tweet of his last August where he said "The Harris chain of forty four academies is a stunningly successful education venture...in my view Phil Harris is the greatest philanthropist of his generation."

7. From Cllr Nicholas Bennett to the Portfolio Holder for Renewal, Recreation and Housing

If he will list all meetings between the Council and London South East College since 2016 in which the proposed aerospace college was discussed, who attended and what financial and other assistance was offered orally and in writing by either members or officers for the new college?

Reply:

The Executive Director of Environment and Community Services met the College in November 2016 as part of an initial scoping exercise where the issue of the Aeronautical College was discussed.

The Head of Regeneration and the Director of Regeneration had two meetings with the College, one in September 2017, to determine the scope of their funding application to the GLA's Skills for London fund and what they were seeking from the local authority. Both officers had a further meeting in December 2017 with the College's consultant to explore alternative funding options. As a consequence of the second meeting a funding offer in the form of a loan, subject to committee approval, was made to the College which they subsequently rejected.

In addition a meeting also took place with Sam Parrett, Cllr Fortune, the Leader and the Chief Executive on 30 November 2017. This meeting was a first introductory meeting between Sam Parrett and the new Leader. At this meeting, the Leader suggested/offered a loan of up to £1.2m to Ms Parrett in support of the Aeronautical College, subject to Members' agreement.

The Chief Executive met on two occasions with Sam Parrett, Principal of the College, but these were informal meetings where a range of topics was discussed.

Supplementary question:

A letter was sent on 6th June 2017 by the Chief Executive supporting the College's submission and in it he said "To this end the Council's Executive has committed up to £3m from its growth fund to support skills and enterprise development and opportunities in the Biggin Hill Strategic Outer London Development Area." Was he aware of this letter?

Reply:

I was not aware of the letter until you drew it to my attention, and it is something that I will look into and let you have a more detailed reply.

8. From Cllr Angela Wilkins to the Portfolio Holder for Environment & Community Services

How does he rate the last year's performance of Kier, the Council's street cleansing contractor?

Reply:

I would remind Cllr Wilkins that the Environment PDS Committee scrutinised the performance of Kier in March this year. The Committee resolved to note:

- (1) the continued year on year improvement in regard to the independent resident satisfaction survey of street cleansing services along with the main concerns of survey respondents;
- (2) the annual performance of the street cleansing contractor with particular reference to improvements in the removal of autumnal leaf fall and decrease in enquiry volumes; and
- (3) the success of the street cleansing graffiti removal service and Highway drainage maintenance programme.

I would say that the street cleaning service is, on the whole, being delivered and monitored effectively. Overall, in 2017/18 the level of service enquiries made by the public fell by 7% and the contract inspections undertaken increased by 54%. The annual customer service survey has shown an ongoing increase in street cleaning satisfaction reaching 74% in 2017/18 with a particular increase relating to litter. Survey results for a clean local area at 79% and satisfaction with our High Streets at 85% have been broadly constant.

Supplementary question:

Would he like me to email him every complaint that I and my colleagues get about street cleaning because they will not reflect the same answer that he has given me? What exactly do I have to do to get streets cleaned without having to first report them on Fix my street.

Reply:

As I indicated, the inspections by our area monitoring teams are being undertaken - I have confirmation from my officers that they are being undertaken and Kier are being monitored. There is always an element of perception and I can see from these figures that whilst 74% are satisfied with their street cleansing 26% may be particularly unsatisfied. The satisfaction survey is doing that and if you will provide me with those locations I can get officers to respond with the number of times those locations have been inspected. However, I would say that the contractor is required to clean the street to the required standard as specified in the contract on the day that we specify they should clean the street. The rate people dropping the litter is unfortunately beyond our control. Hopefully, going forward, we will be able to tackle that more effectively than we are at the moment.

Additional Supplementary question from Councillor Vanessa Allen:

I wanted to ask if the IT Department could enlarge Councillor Huntington-Thresher's inbox capacity because he may find it filling up rather quickly.

(Councillor Peter Morgan declared an interest during this question as his daughter was an employee of Kier.)

9. From Cllr Kathy Bance MBE to the Portfolio Holder for Children, Education & Families

How many children in Bromley have not been found a place in a secondary school?

Reply:

All children applying on time for a Year 7 place for September 2018 were offered a place.

Supplementary question:

I sincerely thank you and your officers for your assistance to families in my ward that did have problems, whether or not they applied in time. I do think that it is unacceptable that parents are asked to give six choices of schools and I wonder how many people in this chamber would accept the sixth choice of school for their children? Do you have any idea when we might be back to a more realistic three choices for secondary schools?

Reply:

Since coming into the role it is more than apparent how passionately parents and carers think about the education of their children. My inbox is full of lots of emotive messages. The admission policy is a legal policy and we have to follow the way that is set down by government. One thing that is apparent in Bromley is that we do have some exceptional schools and I completely understand why parents want their children to go to the outstanding schools as opposed to the good schools, but we have to follow the government guidelines.

10. From Cllr Ian Dunn to the Portfolio Holder for Environment & Community Services

What is the current plan for the repair of the gates removed from the Croydon Road entrance to Betts Park in 2017?

Reply:

The cost of repair of the gates following vehicular damage was prohibitive. The gates are not the original gates, they are post-war replacements. We are working with idVerde to establish options and costs for alternative gates.

Supplementary question:

Why has this taken since 2017 and why did one of my constituents, who is particularly interested in heritage, have to complain to the Ombudsman before she got a response and when are we going to see the plan for the replacement of the gates?

Reply:

I am expecting to see some costs for alternatives coming forward shortly. Obviously, that is an area where we are going to have to understand whether or not that is a cost that is sensible for us to spend there, or whether we have to consider and explore further options.

11. From Cllr Vanessa Allen to the Portfolio Holder for Resources, Commissioning & Contract Management

How does Bromley Council ensure that its suppliers address the issue of modern slavery, both as a potential issue in the borough and through its supply chain?

Reply:

The impact of modern slavery is considered at pre-tender stage in order to assess how relevant it may be to the particular tender and in line with the guidance in the Standard Selection Questionnaire (PPN 8/16) issued by Crown Commercial Services. Similar questions are included as part of the tender invitation, if an open tender process is used.

Additionally, for higher value contracts, where formal contract documentation is required, a clause is included in the contract to remind suppliers of their obligations

Supplementary question:

I would like to have some activity post contract, as well as pre-contract. If it is already addressed in this way then it would seem that Bromley could happily sign up to the Charter against Modern Slavery, so would he support that?

Reply:

Signing up to that charter? I will certainly look at that; I don't know what that contains and whether that is duplicated within what we are currently doing. I mentioned that the clause that we include in contracts reminds suppliers of their obligations. What I would like you to do is to look at that clause and let me know of any improvements that you think we can embody in that. The other thing we could do is for you and I to meet with the Director of Commissioning and Contracts and see how the process works, and again perhaps you might like, at that stage, to input potential ways that we could improve things.

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

12. From Cllr Marina Ahmad to the Portfolio Holder for Children, Education & Families

Will you write to the Immigration Minister demanding the fee for children to register as British citizens is reduced to the administrative costs and demanding that looked after children are exempted from the fee in its entirety?

Reply:

The suggestion is unfortunately much more complicated than the question suggests. Our Looked After Children are already publically funded although we may need to finance any specialist legal costs for them as their corporate parent in relation to any complexities where there are historical issues.

Whilst fees are attached to some children who are not looked after it has to be taken on a case by case basis to ensure that it coincides with their application or leave to remain; therefore would be difficult for a blanket exemption.

13. From Cllr Nicholas Bennett to the Portfolio Holder for Children, Education and Families

How many children have been permanently excluded from:

1. Bromley primary schools;
2. Bromley secondary schools;
3. Bromley SEN schools;

in each year since 2013?

Reply:

Number of children permanent excluded from Bromley schools					
School Year:	2013/14	2014/15	2015/16	2016/17	2017/18
PRIMARY SCHOOLS	2	8	10	15	3*
SECONDARY SCHOOLS	40	44	31	51	57
SPECIAL SCHOOLS	0	0	0	0	0

* One exclusion carried forward from 2016/17 school year because governors' hearing took place in September 2017

14. From Cllr Kathy Bance MBE to the Leader of the Council

Is the London Borough of Bromley organising a Holocaust Commemoration Service in Bromley as part of the Civic Calendar as other Boroughs do?

Reply:

As you are aware, Mayors have attended the Greater London Assembly Holocaust Memorial Day at City Hall for a good number of years now.

I believe I am correct in saying that you will be following this tradition yourself in January.

To the best of my understanding, there has never been a request from the Jewish Community in Bromley for a Memorial day more locally, but were there to be so, I am sure that is something which the Council would probably look on favourably.

15. From Cllr Marina Ahmad to the Portfolio Holder for Public Protection and Enforcement

When will the licensing of private landlords in Bromley come into effect?

Reply:

Bromley operates the mandatory house in multiple occupation (HMO) licensing scheme in accordance with the Housing Act 2004, this is already in place, however, there are changes that came into effect on the 1st October this year. It used to be that the HMO definition applied to premises that were 3 or more stories high. The change in October has removed that requirement, so any HMO that has 5 or more people living in two or more single households will be covered.

There are other licensing schemes that can be applied to in certain circumstances (additional and selective), however, Bromley only operates mandatory scheme for HMOs, so there is no requirement stipulating that all private landlords be licensed.

16. From Cllr Nicholas Bennett to the Portfolio Holder for Environment and Community Services

When is it proposed to begin street work on the improvements proposed to the Red Lodge Road/Station Road junction in West Wickham?

Reply:

The design work and on-site investigations for this project are being finalised, and construction works are expected to commence on site in early November 2018. Works will be suspended during the Christmas trading period with completion programmed for March 2019.