

Council

18th October 2021

Questions from Members of the Council for Oral Reply

1. From Councillor Nicholas Bennett MA JP to the Leader of the Council

In the preparation of 'Making Bromley Even Better' I and Councillor Fawthrop met the author and made a number of suggestions for the document. The proposals we made do not appear in the final draft. On whose authority were they removed and why were we not consulted before they were excised from the document?

Reply:

I am not immediately certain whether your proposals were removed or simply not included in the first place, but I am aware that Councillor Bennett made eighteen suggestions to officers by way of his emails dated 15/12/20 and 5/7/21 of which twelve were adopted and six set aside for various reasons detailed on the report which has been circulated before us this evening and which will be appended to this meeting's minutes. (Appendix 1)

Supplementary Question:

It would have been nice if Councillor Fawthrop and I, who spent a lot of time working on this report, had actually been told that most of our suggestions would be either altered very dramatically or not included. Can the Leader assure us that this very valuable document, which is a road map for the future direction of the Council will not be put on a shelf and left to gather dust.

Reply:

I am aware that this was the will and instruction of Executive, Resources and Contracts PDS Committee, so it certainly will be.

Additional Supplementary Question from Cllr Simon Fawthrop:

Given that there is no value attached to the cost of this report, can he tell me how much money is going to be spent promoting things listed in the report as being promoted?

Reply:

I certainly cannot, it will depend on what the various individual silos that feed into the process determine as policy and how we might cost and pay for it.

2. From Cllr Angela Wilkins to the Leader of the Council

There have been numerous instances when committee reports of public interest have unnecessarily been kept out of public sight by use of s12A of the Local Government Act. Examples include the sale of Chislehurst Library and, more recently, proposals for new schools in Penge and Walden Woods.

Members of the Labour Group have repeatedly raised concerns about this practice over several years and are grateful to the Chief Executive for his assurance that in future, a report will always be published in the public domain (Part One of every agenda).

Does he agree with me that it is for officers to advise but for councillors to decide at each meeting whether to discuss a report in private?

Reply:

I do and I would add, that has always been the case.

Supplementary Question:

Does he agree that members, and particularly chairs of committees, need further training on section 12A.

Reply:

I would not dream of suggesting that any of my colleagues need training in anything, but I think it is very important that chairmen of all committees have clear and concise legal advice to allow them to make decisions about what stays in part one, what moves into part 2. I will cede that we have seen some examples recently where there have clearly been some very bad decisions made, but I think they have been made at officer level rather than at member level, and when they have been picked up at committee, I think the advice has not been as clear and decisive as it should be in the advice received back from legal colleagues. Not to criticise officers, there have clearly been some examples recently of where members need clear concise advice around part one and part 2.

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

How many Afghan families is the Council now accommodating and how many has the Council offered to accommodate?

Reply:

My answer is in two parts -

(i) 3

(ii) The distribution of Afghani refugees both nationally and regionally remains under discussion between all 32+1 London Boroughs, meaning that it is not possible to advise anybody of an agreed number at this time, because nothing has been agreed.

Supplementary Question:

Is there a Council department leading on resettlement support?

Reply:

Not specifically a department, but when we know what our responsibilities are that work will be split between the Housing team, the Children and Young People's team and the Adult Care team, and they will be drawing together a package of health and advice to steer any of the Afghani refugees that need it. An important point to remember around the Afghani refugees, there is a concern that not all will speak English. Not all will have the education skills to walk straight into a job. The other side of this is that a lot of the Afghani refugees coming into the country are academics or judges – pretty smart people just displaced by bad fortune who will walk into jobs over here. It is just the churn at the moment and determining the timing and how it happens. One of the saddest things that many Council leaders agree on at the moment is how many people are going to remain banged up in holding hotels for far longer than anyone would prefer. The problem is that there are not physically enough houses to put people straight into, so a national solution is best, albeit London must play an equal share.

4. From Cllr Ian Dunn to the Portfolio Holder for Adult Care & Health

The latest budget monitoring report shows a net cumulative balance of £1.855 million in the Public Health Grant. Why is this the case over 18 months into the Pandemic, the greatest Public Health emergency in the last 100 years?

Reply:

The Council has to address the impact of the pandemic, with associated costs and funding, as well as the long-term effect as we move to the 'new normal.'

The Government has provided significant funding for 2020/21 with some more limited funding in 2021/22. This has supported public health through the pandemic and enables the community needs to be addressed within new external grants available. The impact of the pandemic, even with restrictions lifted, will continue long beyond the current year without government funding being available.

In short, it is not about how quickly the Council spends grant money but it is more a case of how wisely and on what priorities it is spent over time.

Supplementary Question:

What sort of things are we planning to spend the money on, because there are a lot of things we could do and I would like to get some indication of what we might be spending public health money on?

Reply:

Bromley's Public Health team has been delivering an excellent service for Bromley's residents over many years. By carefully measuring and targeting outcomes rather than just spending all of the money that is available, because it is there. As we move out of the pandemic, I think it will be for members to decide, via the PDS Committee, in consultation with the Director of Public Health, who will be producing a report in the late Autumn around the priorities that we need to deliver for our residents. I would like to offer a couple of suggestions that will probably be around the impact of long covid, which is something that is being discussed, and also mental health issues that we know are prevalent within both our younger population and some of our older people. I think as well we need to look at the loneliness agenda because that has impacted considerably on some of our residents who are quite vulnerable and clinically excluded from meeting residents. Those are just a couple of highlights from my point of view, but there will be other things that the Director will highlight to the PDS Committee.

Additional Supplementary Question from Cllr Angela Wilkins

Of the £1.855m, how much of that is covid grant money which has justifiably, in terms with this Council's policies, set aside for long covid? Is it not the case that Public Health has run a surplus, an under spend, for a very long time which one wonders about given the health inequalities that are all too evident during covid.

Reply:

I have an assurance from the Director of Public Health that all the grants we had were appropriately administered towards the covid epidemic and the money has been spent on the criteria in the grant applications. I am aware that we have some underspends that we are rolling over into a budget and I think that is the way that a prudent and successful Council that is debt-free should be managing its finances. The money is not just there to be spent; it is there to be allocated on a case-by-case basis with Member approval.

Additional Supplementary Question from Cllr Simon Fawthrop

Would the Portfolio Holder agree with me that, compared to the initial budget, every year the Adult and Care Services budget has always been overspent, and the budget has increased compared to the initial budget?

Reply:

As I have said, the Director of Public Health has given me assurances that all the public health moneys have been approved and applied appropriately to the public health functions of this Council, and that we are fulfilling all of our statutory duties in that respect to our residents.

5. From Cllr Ryan Thomson to the Portfolio Holder for Children, Education & Families

What action is the Council taking to ensure that all schools, academies and other relevant education settings in the Borough are made aware of, and encouraged, to access the "Get help with connectivity grants" from the DfE?

Reply:

The DfE's 'Get Help with Technology' grants which launch in January 2022, have been widely promoted through our educational professionals' website "Education Matters", and through our Schools Circular Newsletter.

Supplementary Question:

I was curious what the take-up had been with academies and other education settings across the borough with regard to those efforts, and what future efforts were planned to ensure that grants are taken up further where they have not been so far?

Reply:

The schools themselves will be applying directly, because most of our schools are academies, but we can certainly see if we can get feedback from them about who has applied and for what. We will continue to promote through our various methods. I am very sure that the schools themselves are aware of this grant and very eager to apply for it.

6. From Cllr Josh King to the Portfolio Holder for Renewal, Recreation and Housing

Given the end of the eviction ban in March, the impending removal of the Universal Credit uplift and the threat of increased energy prices, what additional measures has the Council introduced to help prevent evictions of the most vulnerable tenants and what has this cost?

Reply:

The situation is fluid. We have a range of housing options and homeless prevention services to ensure that we are supporting any households at risk of eviction. We focus on early intervention, prevention and debt advice. Where necessary we have been utilising our Prevention Fund, Covid Welfare Fund and Discretionary Housing Payments (DHP) to assist clients. We have been working with charities, churches, landlords and Housing Associations to identify those at risk and offering early support.

Unfortunately, the full impact of the pandemic and these more recent challenges cannot be assessed and costed as it is still ongoing.

Supplementary Question:

How many families have been helped through this process?

Reply:

I do not know the precise number, but 80% of the people that come to us for help we are able to help them and avoid eviction.

7. From Cllr Simon Jeal to the Portfolio Holder for Environment & Community Services

In a statement to Bromley News Shopper earlier this year regarding the draft Open Space strategy, you were quoted as saying "... this strategy was always about conserving and enhancing our parks and open spaces, including woodland and the like, it was never about selling parkland." Can you confirm that this Council is still committed not to dispose of open spaces in Bromley?

Reply:

I stand by the statement "... this strategy was always about conserving and enhancing our parks and open spaces, including woodland and the like, it was never about selling parkland. The Environment and Community Services Portfolio Holder does not wish to see the disposal of any section of our parks, woodlands etc."

In making the above statement, I did mention that some changes, like, for example, the transfer of the management of Crystal Palace Park to the Trust, an RR&H project, would be supported.

Supplementary Question:

Given the two disposals agreed by the Executive in recent months, one a meadow and one an area of Walden Woods, both for schools, could the Portfolio Holder confirm whether any other disposals of open space are planned in the near future?

Reply:

None that I know of.

Additional Supplementary Question from Cllr Ian Dunn

Why did the consultation meeting about the Open Space Strategy held recently not involve the Countryside Consultative Panel and why did you not respond to the email I sent to you on the subject in my capacity as chairman of the Countryside Consultative Panel?

Reply:

The consultation on the further draft has been to people who submitted comments in the first instance.

Additional Supplementary Question from Cllr Ryan Thomson

I attended the consultation the other week for the Open Spaces Strategy. Why, given that this affects all our wards across Bromley, were not all Members contacted regarding this and why were not all Friends Groups across the borough contacted with regards to this? Why were there so many miscalculations regarding missing out key historical facts across green areas in the borough? It just feels like a very poorly organised effort.

Reply:

It is a very comprehensive document. If there are any omissions I encourage Members to provide them. Through the Friends Forum all friends Groups were requested to submit comments and the Friends Forum did indeed submit comments.

Additional Supplementary Question from Cllr Kathy Bance MBE

We as Penge and Cator councillors submitted a comment in draft. Can you explain why we were not invited to that meeting?

Reply:

Not in precise detail. After this draft has gone through additional comments it will go to the Environment and Community Services PDS Committee and all Councillors are welcome to come to the November PDS and add any additional comments at that point. This is still a draft document; it is not until the final scrutiny by the PDS Committee happens that I will make a decision.

8. From Cllr Kevin Brooks to the Portfolio Holder for Environment & Community Services

Does the Portfolio Holder agree that if the various Friends Groups which are connected to the Council receive discounts from idverde, the same should be available for our BID teams as they are also part of LBB?

Reply:

Friends Groups that are actively involved in the management of parks and green spaces, donating significant man-hours to their parks and open spaces, will be treated differently to other groups, especially as their events raise funds to be spent in that park or green space.

This is an opportune time for me to praise the work of our Friends Groups, for their dedication and incredible effort for the benefit for the whole of our community. You have further clarified that your question refers to benches. The installation of benches can involve construction of a suitable base which can cost more than the bench. I will look into any individual examples that you wish to provide me.

Supplementary Question:

This question comes from examples in Penge where community groups have raised money for a bench and then they have seen the installation cost, because they have to use idverde, to be over two times the amount of the actual bench. Is there an option where we can look elsewhere and not use idverde? It might be the same prices, but if there is anything cheaper an alternative provider would be able to be used for the installation of those benches.

Reply:

Idverde are our contractor, so no, that is not going to be possible as they are responsible for the health and safety of our parks. They would have to oversee the works anyway. I have seen a breakdown of how costs can add up; I will look at any individual case that you provide me with and if there are unreasonable costs charged by idverde I will challenge them on that.

Additional Supplementary Question from Cllr Simon Jeal

Idverde are our contractor for parks and maintenance, but does this also mean that they have to be contracted to provide street furniture in other locations on the public highway across the borough?

Reply:

That will depend on a case-by-case basis - if it is in a green space, it would be. In certain other cases, such as a memorial tree, that probably would not go through idverde, that would go through our other contractor, or be done by the Council. It is a case-by-case basis, but generally they are our green spaces contractor so if it does not fall under them and it will probably fall under Veolia. Individual cases we can look at.

Additional Supplementary Question from Cllr Kathy Bance MBE

As you said our Friends Groups put in hours and hours of effort in our parks, so do our BID Team. Our traders put in hours and hours of work running events in our high streets and our towns, saving you from having a town centre manager. For example, in Penge, they have purchased our new Christmas lights, something that would normally fall to the Council. Should the BID teams get a similar discount or some sort of assistance or subsidy from London Borough of Bromley when they are doing the same work as our Friends Groups are?

Reply:

That does fall partly between myself and the Portfolio Holder for Renewal, Recreation and Housing. We do work very closely with our BID teams, and we do offer considerable support. I am not quite sure how you are linking the two? Thinking of my own BID team, the very active team in Orpington, there is engagement between the Area Management and the BID team, direct contact, in order to get street cleaning and

planting delivered. I am not quite sure where you are suggesting there should be a discount of some form in this example because effectively that is under street markets. If there are particularly effective solutions we can look at to help BIDs run events and raise funds for their area then we will look at them. In terms of outdoor seating and the like, there is that, but there are creative examples. For example, I think did offer the Penge BID the ability, for a small extra fee, to advertise on the street bins that went into Penge High Street. That was similarly offered to Orpington.

So, yes, we will look at individual cases. I think you need to give me some more specific examples of where there is a cost that would require a discount. In certain aspects such as outdoor seating there are costs and that is a license fee. Certainly, I will look at any examples you highlight to me.

9. From Cllr Vanessa Allen to the Leader of the Council

Can you please explain the difference between meetings of the Executive (as detailed on the Council's website) and meetings of the Executive (otherwise known as the Cabinet) which are held in private and no minutes published?

Reply:

The Executive is a formal committee, which serves the Council and makes decisions on behalf of the Council, and is supported by Council officers, who take minutes.

The Cabinet, which is most emphatically not otherwise known as the Executive, is a political grouping comprised of the Leader and the six executive portfolio holders which does not take decisions on behalf of the Council and is not supported by Council officers.

Additional Supplementary Question from Councillor Angela Wilkins:

Can I ask how often the Cabinet meets and when it last met? Would the public appreciate the finer points in his answer which would be quite puzzling to an outsider, I suspect?

Reply:

I do not think any balanced outsider would have any problem with the concept at all. It is fairly easy to understand that Her Majesty's Government do not share their cabinet discussions with Her Majesty's Opposition until they have formed policies and are ready to make decisions. I think Friday last week was the last meeting of the Cabinet.

10. From Councillor Nicholas Bennett MA JP to the Portfolio Holder for Resources, Commissioning and Contract Management

If he will set out in table format the number of (i) residential, (ii) Commercial (including public sector properties) which have stood empty for

1. 6 months to 1 year
2. 1 year to 2 years
3. 2 years to 5 years
4. 5 years to 10 years
- 5 more than 10 years

What is the longest time any property has remained empty; what action is being taken to bring these properties back into occupation; and how many are owned by the Council?

Reply:

The tabular form required for this answer has been circulated ([Appendix 1](#)), together with a couple of paragraphs of explanation and context.

Supplementary Question:

Would the Portfolio Holder agree with me that these are shocking figures? They show that 1,123 properties have been empty for over six months, 714 for more than a year. That is equal to the annual number of properties Bromley has to provide under the London Plan and far more than the number of properties we are hoping to build on car parks under Council ownership. Would he agree with me that, in order to help the housing problem, and to overcome the moral turpitude of some owners, a compulsory purchase order might not be out of place on some of these properties?

Reply:

Yes, you are quite right. There are certain properties that have been empty for a fair period of time. There are 26 over ten years and these should certainly be looked at on an individual basis. It is not a simple science – when you start to look at why the properties are standing empty, very often the ownership is contested, the owners are overseas or the property has passed into probate, so it is not as straightforward as we might like. You are quite right – of those properties there will be a number, possibly a sizeable number, that with greater pressure could be brought back into the housing stock. I think we always have to strike a balance between an individual's right to leave their property empty should they so wish. They are already giving a punitive figure where we are charging people twice the amount for Council services when they are not in receipt of those services by way of a punishment, and I think we have to be careful that we do not overcook the goose.

(At this point the time allowed for questions expired – the remaining questions received written replies.)

11. From Cllr Angela Wilkins to the Portfolio Holder for Renewal, Recreation & Housing

What is your assessment of the performance of Clarion Housing Association in relation to repairs and maintenance of their properties?

Reply:

The performance of Registered Social Landlords (RSLs) is scrutinised by the Homes and Communities Agency and the Housing Ombudsman. In accordance with the Private Rented Sector Housing Enforcement Policy, the Council will not normally take action against an RSL, unless the problem in question has been properly reported to the RSL, they have failed to take the appropriate action and the tenant has been to the Housing Ombudsman without a satisfactory result.

The Council is aware that Clarion, as with a number of associations, has experienced difficulties in sourcing materials and contractors to complete works as quickly as they would like. Where we are notified of specific issues, we have escalated these to the Housing Association concerned and have offered support to source interim accommodation if needed.

12. From Cllr Kathy Bance MBE to the Portfolio Holder for Environment and Community Services

What is being done to deter persistent fly-tippers who use recycling depots as dumping grounds for household and restaurant waste?

Reply:

- The new Street Enforcement manager, Dean Laws, is now in post and brings a wealth of experience to assist in combatting fly-tipping.
- Physical evidence gathering from fly-tips is being reviewed to improve the retrieval rate and increase enforcement outcomes.
- Penge East station is under RIPA surveillance and any footage captured is reported for further investigation.
- Better signage is being discussed for bring bank sites to expressly outline the 'do's' and 'don'ts'.
- In the past two years the Enforcement Team have issued 24 warnings and 2 Fixed Penalty Notices to individuals who have littered/fly tipped at recycling banks within the Borough
- The 'Your Waste is Your Responsibility' anti fly-tipping campaign in Penge is intended to better educate residents about, and their responsibility for, legitimate disposal of their waste within the wider catchment area of the project. A number

of intervention activities were delivered to help decrease fly-tipping and improve residents' satisfaction with the cleanliness of their streets: a total of 313 residents were directly engaged with, bespoke leaflets were delivered to 1,410 properties in target roads, letters were sent to businesses on Maple Road, fly-tipping posters were installed in hot spot locations, and 'this is a fly-tip' stickers were placed on fly-tips. The project is nearing completion and is in the final resident survey phase, after which full results can be shared.

- Bring bank sites borough-wide continue to have daily attendances to clear fly-tips and waste left around the banks. The sites in Penge invariably have multiple visits per day to ensure no excessive accumulations.

13. From Cllr Ian Dunn to the Portfolio Holder for Environment and Community Services

Given the recent reduction in the percentage of household refuse being recycled or composted, with the year-end projection well below target, what actions has the Portfolio Holder taken to increase recycling & composting?

Reply:

With additional home working and a rise in online deliveries and associated packaging, the main reason that recycling is slightly lower in 2021/22 is an increase in non-recyclable refuse with the tonnages of recycling being relatively similar if not higher than before the global pandemic. Therefore, the strategy, which is embedded within the Council's Reduction and Recycling Plan is to focus on encouraging residents to minimise their waste and recycling/ composting as much as they can. Specific actions that have been taken include:

- The development and delivery of the Recycling Heroes Education Programme for local schools, which aims to create students that influence their parents to recycle everything they can;
- Promotion of the green garden waste subscription service, which reached its 40,000th customer this year;
- Articles within Environment Matters and the Council's E-Newsletter that include tips on how to minimise and recycle unwanted items;
- Providing information about what happens to our recycling and waste;
- Development of a recycling campaign for residents in blocks of flats, that will be rolled out later this year;
- Continued provision of a comprehensive recycling service that now includes a collection of batteries, small electrical items and textiles;
- Subsidising and promoting home compost units; and,
- Continuing to work with our Service Provider to consider expanding the range of materials we collect for recycling.

14. From Cllr Simon Jeal to the Portfolio Holder for Renewal, Recreation and Housing

What support does the Council provide to former members of the armed forces (veterans) returning to Bromley in relation to housing, employment support and other related needs?

Reply:

The Housing service receives very few approaches of this nature. Our Allocation Scheme is compliant with the armed forces covenant, ensuring that additional priority is awarded to those that are eligible. Where a veteran or their family approaches for assistance we work directly with the armed services in order to ensure that they receive the appropriate support and assistance.