

## Council

11<sup>th</sup> April 2022

## Questions from Members of the Council for Oral Reply

## 1. From Cllr Angela Wilkins to the Leader of the Council

Will he agree with me that one of the best decisions this council has made is to reopen a housing revenue account and start building council owned homes for Bromley residents?

**Reply:**

Not particularly, but it was clearly the right thing to do, given the changed financial backdrop, funding stream availability and the over-riding necessity to source more national award-winning Bromley Homes for Bromley People in line with the Council's Making Bromley even Better priorities.

**Supplementary Question:**

Does he realise the extent of deprivation and appalling living conditions that so many people in this borough have to put up with, and would it not have been helpful to those people and the Council's budget to have started this programme, and the HRA, considerably earlier?

**Reply:**

I believe the programme is of its time and we are doing the right thing by Bromley people as demonstrated by our record.

## 2. From Cllr Simon Jeal to the Portfolio Holder for Resources, Commissioning and Contract Management

How many Bromley residents are currently in arrears for council tax, or other fees owed to the Council, and how much does this amount to in terms of £ value?

**Reply:**

The figures have been circulated -

	Number of residents	Value
		£
Council Tax	18,603	22,587,495
HB Overpayments	1,728	1,589,479
Sundry Debts	1,948	11,594,145
Temporary Accommodation <sup>1</sup>	3,823	8,757,138
Non-Residential Care	1,166	2,557,137
<b>Totals</b>	<b>27,268</b>	<b>47,085,394</b>

**Note:**

1. *The number provided is in respect of the number of households.*
2. *A resident could be included in more than one category above.*

**Supplementary Question:**

As we can see, there are 18,000 residents currently in arrears due to council tax. What work is the Council undertaking to identify which of those are struggling families on universal credit who will be very much struggling with the current costs of living and what debt write-off the Council may be able to offer to ensure that these families are not facing bailiffs or evictions?

**Reply:**

The reason why this number is so high at the moment is in large part due to the covid crisis. Throughout the whole of 2020 we were unable to put any kind of summons forward as part of the breathing space scheme. Since then, there has been a backlog that is now going to be cleared over the next 4-5 months. We are confident that the usual processes are being followed; with all debt, we will be following it up. For any residents who are struggling they can refer to the Hardship Scheme.

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

An item published on the website of Bhatt Murphy solicitors on 19 February 2021 states that "A judge at Central London County Court has ruled that the London Borough of Bromley adult social care team were negligent and breached their obligations to protect life under the Human Rights Act in failing to take steps to protect a vulnerable adult after he had become mentally unwell. He later died of smoke inhalation at his home in March 2016."

What lessons have been learned from this tragic case?

**Reply:**

As this is currently being dealt with as a civil matter I have been advised by the Council's Director of Corporate Services and Governance that I should not comment on any aspect of this case at the present time.

**Supplementary Question:**

There is a safeguarding adults review in the public domain, and that document, with 96 pages and eighteen recommendations, includes a leaning point 16 which is entitled "Candour Between Professions" and that includes a paragraph about Bromley. Somewhere in that report there is a sentence "The risk is this seems somewhat laced with self-certification." How has the Portfolio Holder assured herself that behaviour does not exist anymore in Adult social care?

**Reply:**

I am quite clear that I am not able to comment on this case due to the legal proceedings that are going on at the moment.

**4. From Cllr Josh King to the Leader of the Council**

In a recent open letter to the government, the British Chambers of Commerce (BCC), Make UK, the Institute of Directors and the Confederation of British Industry have asked that the term Chairman for company boards be replaced, arguing the term is archaic and needs updating.

Does the Leader agree that the Council should update its constitution and replace the term Chairman with Chair?

**Reply:**

Personally, no I don't, and I also happen to think that there are far more important things in the world to worry about right now.

However, all such decisions are a matter for the General Purposes & Licencing Committee to decide upon which is something that Cllr King might wish to consider pursuing with them, if he is successful on 5<sup>th</sup> May.

**Supplementary Question:**

Do you not believe that by not updating the Council risks being seen as out of touch with modern practice and not relevant? In reference to what is going to happen on 5<sup>th</sup> May, if the Council is not seen as relevant that might drive low turn out which we all do not approve of at local elections.

**Reply:**

No, I do not agree with that at all.

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

Bromley Council is ploughing £1 million into parks as it plans to create more green spaces. Will this money just fill the void in park funding as there has been no Equipment replacement budget for years and will Bromley Council protect all our current green spaces and metropolitan open land?

**Reply:**

The impact of the pandemic over the last two years has underlined the importance of local green and natural spaces to Bromley's residents and visitors, with the Council recognising that as a custodian of the London's 'greenest' borough there is a need for good outdoor places where people have reconnected with nature, and to sustain the benefits for their health and wellbeing for the future. Contrary to your assertion the Council does and has invested in our parks and green spaces even before the welcome announcement of the additional funding which will contribute towards the refurbishment and renewal of green spaces and improve their quality. For example,

we have worked with the Friends Group in Kings Meadow to dramatically improve the play facilities there using section 106 payments and grant funding to support the Council's own budget and activities. In line with the Council's ethos on value for money, working with Friends' Groups, the focus has been on the most valued locations and as well as looking to address residents' new aspirations for their green spaces.

**Supplementary Question:**

Given that, at the last Council meeting, Cllr Rutherford stated that he was already in discussion with some of his Conservative peers about schemes in their local parks, how will the Portfolio Holder ensure that this money is evenly distributed, and whilst creating more green spaces, will he safeguard our current school playing fields?

**Reply:**

There is clearly going to be a prioritisation and some areas will be higher priorities than others. I do note that you have already emailed me to make me aware of your own suggestions – I think you were going to follow them up with some added detail. In terms of the playing fields, as they are now all academies that is not within the remit of the Environment and Community Services budget.

**Additional Supplementary Question from Cllr Ryan Thomson:**

The transfer of responsibility from Bromley Council to the Crystal Palace Park Trust does not take place until April of next year. With this in mind, can I have assurances that Crystal Palace Park will receive equal access and opportunity to benefit from this fund in the meantime?

**Reply:**

All applications for the fund will be considered and they will be prioritised accordingly.

**Additional Supplementary Question from Cllr Aisha Cuthbert:**

Would the Portfolio Holder agree that we are very fair and in fact there were three playgrounds that were scheduled to have funding from the Council and two of these were in Penge?

**Reply**

Yes, we are updating playgrounds, and that is entirely correct.

**6. From Cllr Kevin Kennedy-Brooks to the Portfolio Holder for Renewal, Recreation & Housing.**

Now that the BIDs are responsible for the financial running of our High Streets what responsibility do the Council have to in relation to planning to prevent overdevelopment and reduction in shop units?

**Reply:**

There are several policies in the Local Plan and London Plan concerning protection of retail areas, for example, policies 92, 94 and 95 of the Local Plan which seek to

maintain retail uses and protect the vitality and viability of town centres across the borough. The Council has also made a number of Article 4 Directions in town centres to withdraw what we regard as harmful permitted development rights which allow retail uses to convert to residential use without permission.

The design of new development across the borough is assessed against a suite of policies and guidance to ensure that it is appropriate for its context and to avoid overdevelopment.

**Supplementary Question:**

He knows of my concerns regarding the Blenheim Centre in Penge. While there is no final planning application here, the idea of a major development is very worrying in terms of whether the shops there can trade while everything is going on. This in turn also affects the Business Improvement District carrying on. Will he please tell me how he or his office will protect the integrity of our high street and, as he says in the lovely new brochure that we have today, continue to play a proactive role to support businesses and the local economy?

**Reply:**

We are as conscious of Penge as we are of anywhere else. The possible redevelopment of the Blenheim Centre is something that will have to be considered on its merits, but within the context of protecting Penge as a vibrant retail centre. I think and hope that Penge is doing better than it might have done in years gone by, so I am hoping that it will continue to improve and anything that happens at the Blenheim Centre will contribute to that and not detract from it.

**Additional supplementary question from Cllr Ryan Thomson:**

Will it be possible to have a meeting, or some guidance, on setting up a BID for Anerley in my ward?

**Reply:**

Absolutely so – there is no reason why we cannot consider that. We have team of officers within the department who look after and sponsor new BIDs, so I am very happy to see whether we could do one for Anerley. These things are not easy in smaller centres, because the costs of running them, just the cost of paying the manager alone, is often not covered by the total of the rateable values in that area. It might be possible to combine with Penge or somewhere else so that it can be included.

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

If he will make a statement about the lack of changing facilities, lavatories and showers for swimmers at the Spa Leisure Centre as a result of work to replace the floor in the changing rooms and why this has now taken more than three months?

**Reply:**

We asked Mytime Active, which is responsible for the leisure centre and commissioned the works, for a response. They have said that unfortunately the approach to the original works was to repair sections at a time thereby allowing the facilities to remain open, but it did not work mainly due to water ingress from swimmers as the floor is required to be fully dry. Ultimately this has meant that works have taken longer than planned. During this period alternative changing rooms have been made available. The full works were due to be complete yesterday.

**Supplementary Question:**

I do not know if Cllr Morgan and Mrs Morgan change their clothes on the beach when they go on holiday, but can he imagine what it is like for an elderly lady or gentleman to put a towel round themselves, stand in the public gallery and try to put their clothes on with no handrails to hold on to. If they wish to go to the lavatory it is a fifty step walk each way through the reception area to the gyms. Is this satisfactory, and if it is not can we make sure that the cowboys that have been doing this since Christmas are not employed by the Council?

**Reply:**

I agree with Cllr Bennett that it is less than satisfactory to say the least. The changing facilities, according to my information, were supposed to be the changing rooms used by gym users, but I don't know whether that worked out or not. Therefore, they should not have had to change as if they were standing on the beach. The contractors have not been wholly satisfactory, and I hope that Mytime will never use them again and we will give strong advice to that effect.

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

On a recent radio interview & in response to a resident's complaint about the condition of the toilets in Crystal Palace Park, you refused to visit them because you said you had officers to do that sort of thing for you.

Several months later, these toilets remain in an appalling condition. Will you now accept my personal invitation to visit so that you can decide whether you think your answer - and this Council's provision of public conveniences in its premier heritage park - is acceptable to local residents?

**Reply:**

I do not need to visit the toilets to understand that they are past their best and will need significant investment or replacement at some point in the not-too-distant future.

Mindful of the alternative toilets at the park's Café, the Council's position remains that it will maintain, cleanse and equip the block with toiletries in line with the existing contract for the next year, before then handing the Park over to the Crystal Palace

Park Trust who will determine its future in line with both their other existing priorities and the Park's £40m Regeneration scheme.

**Supplementary Question:**

Would he please undertake to clarify the situation, because it is not the first time that I have heard him say that the toilets in the café are open to the public – they are not. That was the original intention of this Council, but that did not happen, you have to be a café user to access those toilets, so they are not an alternative.

**Reply:**

I am happy to be advised by Cllr Wilkins as to events in her ward. That is the sort of thing that should be reported to officers in a timely fashion, because if they are not available to users officers may wish to pursue it on her behalf. I see the relevant officer in the audience this evening who will be able to pick that up.

**Supplementary Comment from Cllr Ryan Thomson:**

This has been raised with officers to no avail.

**9. From Cllr Simon Jeal to the Portfolio Holder for Children, Education & Families**

Could you please confirm how many pupils and teachers were absent from Bromley schools in the past week due to suspected or confirmed coronavirus cases, and how this figure has changed compared to a month ago?

**Reply:**

With the ending of restrictions, many of our schools are no longer regularly sending in a return to the DfE. 51 of our schools are still sending in a return voluntarily.

Of those 51 schools, on 31<sup>st</sup> March (I received your question on the 29<sup>th</sup> March) there were 283 pupils absent with Covid during that week. A month earlier on the 28<sup>th</sup> February there were 127.

On 31<sup>st</sup> March, Teacher absences were no longer being broken down into categories, but a month earlier on the 28<sup>th</sup> February there were 28 teachers absent with Covid.

**Supplementary Question:**

As she will be aware from those figures, even those that are voluntarily reporting, the number of absences due to covid does appear to be increasing substantially. Given the upcoming GCSE and A level exams that will be taking place and are so important to many students, what advice has the Council's Public Health Team and what work is being done to engage with schools to ensure that students will be able to take exams with minimal disruption?

**Reply:**

Even though numbers have increased at the moment, the number of pupils, with the figures I gave you it is 0.5% of the total cohort, and the number of teachers is 1% of the total cohort of those 51 schools, but Public Health is constantly working with schools to ensure that they are doing the best practice that they can. If there are any difficulties with exams I am confident that they will be able to deal with them.

**10. From Cllr Josh King to the Portfolio Holder for Renewal, Recreation & Housing**

How many planning applications remain on the backlog which have required that the target date for determination has one or more extensions?

**Reply:**

97 undetermined applications have agreed extensions of time.

**Supplementary Question:**

How is the balance made between dealing with the large developments and with smaller planning applications?

**Reply:**

The Planning Department divides itself into a large applications team and then the rest. The large applications are probably the ones that most often run over, because they are so much more complicated, and that is how it is done.

**11. From Cllr Kathy Bance MBE to the Portfolio Holder for Renewal, Recreation and Housing**

Is the LBB funding or part funding any Job Clubs for the rest of this year and if so, can you advise which wards they are located in.

**Reply:**

The borough provides the staffing support at community work clubs, which are based at two centres (Mottingham and Cotmandene). These are located in Mottingham ward and Cray Valley West ward respectively. The work clubs are on-going and will continue to be delivered throughout the year and for the foreseeable future.

Bromley Adult Education College continues to host a work club (supported by Clarion Housing) at the Kentwood Centre, which is located in Penge ward.

Additionally, Bromley Youth Support Programme continue to offer a virtual drop in three times a week for young people aged 16 – 19 (and up to 25 with special educational needs and disabilities). These sessions will return to face-to-face sessions in the next six weeks.

Whilst these are not job club activities, from engagement at these drop ins, young people are supported by staff on an individual and sometimes group basis with employability activities and can be linked to work related learning activity via the

Education Business Partnership team. These activities, once they resume as face to face, will take place in Penge and Cator, Cray Valley West and Bromley Town.

**Supplementary Question:**

Could I ask you to put that in writing to me please? Can you put in some ballpark figures if there is any direct funding from Bromley Council?

**Reply:**

I shall be glad to do so.

**12. From Cllr Kevin Kennedy-Brooks to the Portfolio Holder for Environment & Community Services**

I have had an increase in residents complaining about repairs to roads such as potholes. How does the Council proactively monitor contractors to ensure their repairs are adequate?

**Reply:**

All repairs to potholes etc. are guaranteed for two years. Sample inspections are undertaken of 10% of all repairs to ensure compliance with the specification, along with any other repairs which are brought to our attention.

**Supplementary Question:**

That is a very interesting answer because I have had a number of people, especially concerning roads, where they are saying that potholes have been filled in after being reported on Fix my Street, but it has not been anything near two years before the trouble has recurred. Bromley is a commissioning Council, so what actions are being undertaken to ensure that we do monitor comprehensively our contractors to make sure that they are delivering a quality service?

**Reply:**

If potholes are identified during inspections or via Fix my Street a location that has been previously fixed (the team of officer will have that record) they will go back to the contractor and enforce that warranty aspect. They will look at the condition of the road. If we take Crofton Road, for example, that was in such a poor condition that although when the pothole was fixed it fixed to the remaining sub-strata, but the sub-strata then came out. It was a part of the principal road network that we had been bidding to TfL who are responsible for re-surfacing the principal road network to have that repaired for a good number of years. We were finally able to do that over the last year.

Once it is reported, we will follow it up and follow the warranty, as long as it is down to the quality of the repair, not if it is one of the roads that is about to be replaced, when it would feature in the next replacement programme (which did go to the Last PDS).

**Supplementary Question from Cllr Simon Fawthrop:**

Would the Portfolio Holder agree with me that if Sadiq Khan actually controlled his budget there might be some more money for our roads rather than, for example, doubling his PR budget.

**Reply:**

There are many aspects where we bid in to TfL, which is part of the Mayor's remit. Where we prioritise investment recognised by the Mayor because it is fully compliant with our LIP and the Mayor approves our LIP, we hope that he will fund those going forward.

**Supplementary Question from Cllr Simon Jeal:**

Could I ask how much the Council has spent on repairing potholes over the past year and over the past four years how many repairs have had to be undertaken on potholes within the two-year guarantee period?

**Reply:**

I do not have those numbers at the tip of my fingers. We have a budget monitoring paper on that which will give the highways repairs budget and that has been fully spent this year on potholes. It may be something that I can release to you as a councillor in terms of what has been required under the warranty aspect.

**13. From Cllr Nicholas Bennett MA JP to the Leader of the Council**

What weight is given to representations by local organisations claiming to represent local residents which appear to have no constitution or democratic process for electing the organisation's leaders?

**Reply:**

Appropriate weight is given to every representation received from any Member of the public.

My personal approach is to evaluate the merit, or otherwise, of whatever it is which is being asked of us and to then respond accordingly rather than differentiate as to who is asking the question. But Cllr Bennett is unquestionably correct to allude that properly constituted organisations speak with a far greater authority than others which aren't.