

Council

11th April 2022

Questions from Members of the Public for Written Reply

1. From Helen Alsworth to the Portfolio Holder for Environment and Community Services

There is a vacant land site adjacent to 39 Southend Road Beckenham where the hoarding seems about to collapse on to the pavement (by a bus stop) and there is also fly tipping. This urgently needs to be made safe and secure, does the Council have legal powers to do this? When can the work be done and who will pay?

Reply:

An Officer from the Street Enforcement Team has visited location and passed the matter to colleagues within Building Control who will contact responsible parties to fix the hoarding in question. However, it must be clarified that the council can only become directly involved for the removal once the hoarding has fallen down and is obstructing the pavements and roads.

In terms of the legal powers bestowed to local councils to deal with fly tipping, these are as follows:

- Town and Country Act 1990 s215, where a notice can be served, to require the landowner to tidy up the waste and detritus on open land.
- Prevention of Damage by Pests Act 1949, the council can take enforcement action against the landowner, if the fly-tipping provides harbourage to pests.
- Environmental Protection Act 1990, s79, allows the council to take action if there is a statutory nuisance such as: smoke, fumes or gases from any premises, noise or vibration, or premises kept in a poor state etc.

As a council we always recommend that you submit a service request, to report faults within our public realm via '**fix my street**' <https://fix.bromley.gov.uk/>. From here we will investigate the matter and then provide you with a swift response.

2. From Helen Alsworth to the Portfolio Holder for Environment and Community Services

A recent publication by Beckenham Conservatives refers to working towards a 20mph zone in Copers Cope Road. Is it now official Council policy to introduce 20mph zones, something many residents would support, and how can residents in Beckenham and Copers Cope ward apply for them?

Reply:

The Council's policy has not changed. It is the Council's Policy to work with schools to develop their school travel plans to encourage students and to make active travel to schools a viable travel choice. Where criteria are met, changes will be introduced, such as improvements to crossing points but also part-time advisory 20's outside schools. As there is the CPFC Academy on Copers Cope Road, for Beckenham Conservatives to engage with the school in pursuit of these ambitions is something that proactive Councillors will undertake. Residents and particularly parents are similarly more than welcomed to work with their local schools in this ambition, given the congestion and delays that occur around schools. In the Beckenham area for example some residents are helping to man the barriers on the trial school streets.

3. From Julia Burton to the Portfolio Holder for Renewal, Recreation and Housing

Will feedback on the Orpington SPD be published, if so where and when?

Reply:

As part of any future adoption of the Orpington Town Centre SPD, there is a requirement to publish a statement detailing the persons the local planning authority consulted when preparing the SPD; a summary of the main issues raised by those persons; and how those issues have been addressed in the SPD. There is currently no date for when this will be published.

4. From Julia Burton to the Portfolio Holder for Renewal, Recreation and Housing

When will the recent Call for Sites be discussed and the results published?

Reply:

Consideration of the call for sites responses is ongoing. The Council will use the responses to the call for sites to inform the approach taken to the Local Plan review; there will be various rounds of consultation on draft Local Plan documents in future that will be subject to consultation. Where necessary to help justify our proposed approach, the call for sites responses will be published as part of future consultations.

5. From Elizabeth Thomas to the Chairman of the Development Control Committee

Has the Council formally adopted the Urban Greening Formula for new developments?

Reply:

The Urban Greening Factor (UGF) was introduced through Policy G5 of the London Plan, which was adopted in March 2021. The policy sets out an interim UGF requirement that applies to major development proposals in Bromley. The policy also encourages boroughs to develop their own UGF policy and score. The Council is

currently reviewing the Local Plan and will explore the potential for a Bromley-specific UGF as part of this review.

6. From Elizabeth Thomas to the Portfolio Holder for Environment and Community Services

According to the Centre For London the average cost of providing controlled parking bays in the Borough is £221 per bay and yet the current permit charges are in the range of £50 - £100. What is the Council's reasoning for not passing on the full cost to car owners?

Reply:

Thank you for highlighting yet another example of the Council's efficiency when compared to other boroughs. Permit prices are reviewed, typically every 4 years. The Council has always ensured that all administration and enforcement costs are covered from the annual cost of the permit; however the Council also ensure that residents are not over charged for the service.

7. From Dermot McKibbin to the Portfolio Holder for Renewal, Recreation and Housing

The local authority housing statistics for 2021/1 reveals 1,056 dwellings owned by other public sector landlords in Bromley. Who are these landlords? Which wards are these properties in? What contribution do such landlords make to helping the homeless?

Reply:

The Council does not own the 1,056 public sector dwellings referred to and does not hold this information.

8. From Dermot McKibbin to the Portfolio Holder for Resources, Commissioning and Contract Management

How much money is owed to the Council by the owners of empty properties that have been empty for over 2 years. Has the Council ever placed a charge for such debts on the owner of an empty property or applied for an order for sale and if not please explain further?

Reply:

There is £1.26m owed to the Council by the owners of 352 empty properties that have been empty for over 2 years.

The Council takes legal action in respect of all Council Tax debt where appropriate. We also consider on a case-by-case basis the appropriateness of obtaining a charging order and order for sale taking into account matters such as the value of the debt and amount of equity in the property. Empty properties where there is a debt due are included in this overall review.

9. From Sam Small to the Portfolio Holder for Environment and Community Services

In an answer to a previous question about borough-wide emissions the Council stated that it intends to work with the different layers of Government to play their part “in achieving the National ambition set out by the PM.” Please can the Council clarify how it interprets the “National ambition”

Reply:

The Climate Change Act commits the UK government by law to reducing greenhouse gas emissions by at least 100% of 1990 levels (net zero) by 2050. Certain aspects such as decarbonising the power supply network require a national endeavour, with the Government only last week bringing forward updated proposals to accelerate delivery of that. Others which are more locally based are already being mandated as part of our local plan, developers are already making carbon offset payments where they cannot deliver sufficient carbon gains in new developments. Bio-diversity gain is a recent new addition to the planning system. The Council as part of its community leadership has set its ambition to be net-zero by 2027. The Council will highlight to residents and businesses how it has and will achieve this ambition to provide examples for them to consider. The Council will always stay vigilant for further opportunities to reduce its borough wide emissions and where residents have the opportunity to apply for grants etc. the Council will highlight this. These are just a few examples.

10. From Maeve Lynch to the Portfolio Holder for Environment and Community Services

Why are there no pedestrian crossings at terribly busy junctions e.g. Chinese roundabout, Westmorland Road/Hayes Lane. We all need to walk more but basic safety infrastructure is absent. In fear crossing with my children.

Reply:

I acknowledge that both the locations you mention are not the easiest to cross, as both lack any controlled crossings for pedestrians.

At Westmoreland Road / Hayes Lane the possibility of adding a green-man stage has been investigated previously, but the resultant impact on traffic queues was found to be unacceptable. Although this might seem as if the motorist is being favoured over those on foot, it is known that where longer queues form on main roads, drivers will divert along side roads, often travelling at speed past nearby local schools and along narrow residential streets. This can then create more of a road safety problem than was solved by adding a green-man stage at the junction on the main road.

Chinese roundabout is also a difficult place to cross, especially on some of the arms of the junction. Bromley officers are currently designing a scheme to make

improvements at this busy roundabout, to help pedestrians, cyclists and motorists alike. Funding for this improvement has been applied for via TfL.

11. From Brayley Small to the Portfolio Holder for Environment and Community Services

The Tyndall Centre for Climate Change Research calculates that for Bromley to make its 'fair' contribution towards the Paris Agreement, it must stay within a maximum cumulative CO2 emissions budget of 6.6 million tonnes (MtCO2) for the period 2020 to 2100. At 2017 CO2 emission levels Bromley would use this entire budget by 2027. Please comment.

Reply:

I know that many residents are already making changes to reduce their carbon footprint. The Climate Change Act commits the UK government by law to reducing greenhouse gas emissions by at least 100% of 1990 levels (net zero) by 2050. Certain aspects such as decarbonising the power supply network require a national endeavour, with the Government only last week bringing forward updated proposals to accelerate delivery of that. Others which are more locally based are already being mandated as part of our local plan, developers are already making carbon offset payments where they cannot deliver sufficient carbon gains in new developments. The Council as part of its community leadership has set its ambition to be net-zero by 2027. The Council will highlight to residents and businesses how it has and will achieve this ambition to provide examples for them to consider. The Council will always stay vigilant for further opportunities to reduce its borough wide emissions and where residents have the opportunity to apply for grants etc. the Council will highlight this.

12. From Brayley Small to the Portfolio Holder for Environment and Community Services

An answer to a previous question stated that the CMT "are represented at several London Councils Climate Change Steering/Working Groups to help develop a London-wide plan for achieving net zero emissions by 2030". Does this mean that the Council's target for net zero emissions borough-wide is also 2030?

Reply:

The London Mayor has set a target for London to be net-zero by 2030. The Council has been successfully reducing its emissions for over a decade, with its first Carbon Management Plan being published in 2008. A Carbon Management progress report setting out what has already been done (or is currently in progress) was presented at the ECS PDS committee meeting in January 2022 and can be accessed via the Council's website. I know many residents have already been reducing their carbon footprint. As I have said previously the Council intends to work with the different layers of Government to play their part in achieving the National ambition for net-zero set out by the PM. Only last week Government updated its plans for decarbonising the power supply network. I look forward to similar practical

announcements from the London Mayor to deliver net-zero without raising Council Tax.

13. From Brendan Donegan to the Portfolio Holder for Environment and Community Services

Given that we are living through a climate emergency, the UK has lost almost half of its biodiversity, and glyphosate is probably carcinogenic, when will Bromley Council phase out use of glyphosate-based herbicides on its land and for street 'cleansing'?

Reply:

Each application for weed control within the street environment will cover over 1425 kilometres of footway, 880 kilometres of carriageway and 88 kilometres of footpaths throughout the borough. The costs as well as productivity implications of alternative treatment application methods would be prohibitive on the whole when considering the operation required to cover a borough of our size. Existing guidance from governing bodies notes that continued use of glyphosate is permitted. In Europe, the EU licence for glyphosate is valid until December 2022. After Brexit, EU law which regulates the use of pesticides in the UK will continue to apply. The HSE states: 'Neither the EU's assessment of glyphosate as an active substance nor the UK's assessments of applications for authorisation of products which contain it have found the substance unacceptable for use.' (<https://www.hse.gov.uk/pesticides/using-pesticides/general/glyphosate-faqs.htm>). The products that are used by Local Authorities are strictly controlled and reviewed by DEFRA (Department of Environment, Food and Rural Affairs). Full COSHH (Control of Substances Hazardous to Health) assessments are undertaken prior to any use and the current process was last reviewed and approved in January 2021.

In specific relation to Biodiversity: Glyphosate based products are still the most effective and efficient means of controlling specific types of injurious or undesirable plant species for example the treatment of non-native and invasive species. The means of application is also efficient, so they are currently used for protecting and preserving the UK's native biodiversity species. Alternative herbicide free technologies have been adopted where they can be used effectively, most notably our investment in Foam Stream technology since 2019, which is regularly used within the Borough. This technology still has limitations, particularly accessing areas where vehicle access is challenging. The specific brands of glyphosate-based products currently utilised are chosen based upon herbicides well known for their effectiveness in these specific situations in accordance with the manufacturer's recommendations.

14. From Brendan Donegan to the Portfolio Holder for Environment and Community Services

In the Net Zero Action Plan (p11), Bromley Council states it will not take responsibility for emissions it cannot directly influence. How can Bromley Council

justify this position, given the council's significant potential to play a key role in decarbonising transport, waste and social housing in the borough?

Reply:

The Council's Net Zero Action Plan relates to organisational emissions only, those that the Council directly influences/controls.

However, the Council acknowledges that it can indirectly influence the borough's waste, transport and social housing emissions through various policies and contractual arrangements with our service providers. These emissions result from the lifestyle choices of the public, such as what products they choose to purchase, their choice of transportation and their energy management practises at home. Therefore, climate action requires willing participation from all members of society and we encourage the public to choose low carbon alternatives.

The Council is already moving forward its work to tackle borough-wide emissions (as and when appropriate funding is made available) - for example, facilitating the transition to electric vehicles (EV). In March 2022 the ECS Portfolio Holder approved an EV Charging Infrastructure pilot to proceed that will help inform a suitable programme for the roll out of a charging network across the whole borough.

The Carbon Management Team will also be presenting a report at the ECS PDS meeting in June 2022, specifically about signposting residents, businesses and community groups to various grants, services and other initiatives aimed at energy savings and reducing CO2 emissions.

15. From Tia Fisher to the Portfolio Holder for Environment and Community Services

What steps have the Council taken to promote car sharing as a way of reducing the number of cars on the roads, reducing carbon emissions and pollution?

Reply:

For many years the Council has promoted car clubs and has tasked developers with installing car club bays outside the new built properties. Car sharing for Council staff is also promoted through Liftshare, although this promotion has declined during the Covid pandemic.

16. From Tia Fisher to the Portfolio Holder for Environment and Community Services

What steps have the Council taken to encourage residents to use car clubs and how successful has that been as a way of reducing the number of cars on the road?

Reply:

All new development applications that are located in PTAL (rate) of 4 and above are asked to join the local car club. This is supported in the adopted Local Plan. A

typical planning condition is that “The developer must offer the first resident(s) 2 years annual membership of City Car Club (or operator of the closest car club to the development). In the first year of the car club membership, the developer will also provide the first resident(s) a minimum of 20 hours driving time per unit for the type of vehicle located closest to the development”. LB Bromley had around 6000 applications last year. Car Club usage was increasing prior to the pandemic.

17. From Richard Gibbons to the Leader of the Council

Does the Leader agree with the Member for Cray Valley East that Councillors must be visible and approachable, and:

1. Attend residents' and community group meetings
2. Hold regular face-to-face advice surgeries
3. Offer to meet residents at a time and place of their choosing

Ref. https://twitter.com/Pierce_Chris_D/status/1508202680283447306?s=20&t=pdZIPsnsDpTMU3PewW7udA

Reply:

With regards to Ward Councillors, yes, I do.

With regards to your numbered points:

1. Whenever invited and available to do so, of course.
2. This will vary ward by ward as the vast majority of residents prefer to conduct their meetings by telephone, email or pre-arranged one to one or group appointment and Councillors should be available to adapt when required to.
3. Within reason. I wouldn't agree or advise that any Member should put themselves in a position which potentially compromised either their personal safety or reputation.

18. From Richard Gibbons to the Portfolio Holder for Environment and Community Services

Would the Portfolio Holder ask officers to reassess parking policies in LB Bromley using the CPRE London 'Parking Policy Benchmark Assessment Tool 2022', and set a date for a subsequent report to be presented to the Environment and Community Services Policy Development and Scrutiny Committee?

Ref. <https://www.cprelondon.org.uk/wp-content/uploads/sites/10/2022/01/Parking-Policy-Benchmark-Assessment-Tool-2022.pdf>

Reply:

The Council typically reviews parking policies and parking charges every 4 years with the review being scrutinised by the ECS PDS. The Council has very experienced officers in the parking service and members on the ECS PDS. From a quick perusal of the reference you provide, I am of the view that Bromley's officers

and members continue to be best placed to design Bromley's parking policies and all relevant parts have already been considered.

19. From Susan Sulis to the Portfolio Holder for Resources, Commissioning and Contract Management

In Westminster Council, where the median property price is £1,054,400, and the median household income is £42,800, Band D Council Tax is £827.56, less than half Bromley's Band D of £1,691.52.

Band H in Westminster is £1,655.12, also less than Bromley's Band D!

How does the Government justify its 400% greater grant?

Reply:

There are a number of disparities and anomalies in current government funding mechanisms for local authorities. Bromley receives an unfair level of funding and has consistently lobbied for these to be addressed in the longer-term Spending Review, Fair Funding Review and reform of the Business Rates System. This would include recognition of demographic changes affecting Bromley, financial incentives to reward efficient low-cost Councils such as Bromley, recognition in funding mechanism of higher London costs incurred by the Council affecting service costs and removing restrictions that prevent local authorities from raising or spending their own resources for the best use of residents. To illustrate the unfair low level of funding, using 2022/23 funding information, if Bromley's received the average grant funding for London, its annual income would increase by £63m.

Bromley has the second lowest settlement funding per head of population in 2022/23 for the whole of London, giving us £115 per head of population compared with the average in London of £303 – the highest is £522.

20. From Susan Sulis to the Portfolio Holder for Resources, Commissioning and Contract Management

Westminster's Council Tax levy represents 7% of its total funding, compared to Bromley's 31.2%. Billionaires and the 'super-rich' (including oligarchs) pay less than Bromley's Band D residents. Band H, the highest band, in Bromley is £3,383.04.

Will the Council publish the representations it makes every year, and the Government's response?

Reply:

Details of the Council's 'Comprehensive Spending Review Representation' were reported to the January 2022 meeting of the Executive. The Council's response to the Provisional Local Government Finance Settlement 2022/23 was reported to the February 2022 meeting of the Executive. The Council will continue to engage local MPs and Government ministers to secure a better funding deal for the Council and its residents. No direct response has been received on the Council's representation, although the Government has acknowledged receipt of the representations provided.

21. From Louise Clark to the Portfolio Holder for Environment and Community Services

The GLA climate risk map shows a number of areas in the borough that are potential heat islands (St Mary Cray area - high risk, parts of Penge - medium high risk), which are a threat to health particularly for the most vulnerable members of the population. What steps have the council taken (or are planning to take) to reduce that risk

Reply:

The Council has set up a Green Recovery Working Group to drive climate action across the borough, with adaptation measures also being considered. The Council intends to undertake a spatial analysis of the climate risks across the borough and pre-emptively take further action where possible. Such action includes the street tree programme, which will be planting 5,000 additional trees over four years and providing a cooler environment through natural canopy cover. Applications that offer green infrastructure are considered an added benefit for planning proposals when regenerating an area.

22. From Louise Clark to the Portfolio Holder for Environment and Community Services

A standard 4 stroke leaf blower can emit 6.8 times more nitric oxide and nitrogen dioxide and 13.5 times more CO₂ than a Ford v8 pickup truck. Do the council's grounds maintenance contractors use petrol powered leaf blowers and if so would the council consider requiring them to use battery powered versions?

<https://www.challenge2025.eu/our-manifesto/emissions-impact/>

Reply:

(Reply to follow)