

**Council**

**15 July 2024**

**Questions from Members of the Council for Oral Reply**

**1. From Cllr Chloe-Jane Ross to the Leader of the Council**

At the Council budget setting meeting earlier this year the Leader agreed to pursue the Liberal Democrat initiative of setting up a Voluntary Fund for donations to support community organisations - grateful for an update on this initiative?

**Reply:**

Officers remain in discussion with Community Links Bromley with a view to that organisation running a fund on behalf of the Council. I am advised that CLB have agreed to look positively to this suggestion and will come back with their proposals towards the end of August.

**2. From Cllr Julie Ireland to the Portfolio Holder for Transport, Highways and Road Safety**

After nearly two years' of promises from Bromley Police about resolving the issue of parking on the access road to Waitrose in Bromley South, people with mobility issues continue to struggle to find a safe dropping off point for Bromley South Station, and shoppers for Waitrose have to put up with long queues. Will the Council Leader, and the Portfolio Holder for Transport join with us in demanding that the police stop making excuses and resolve this problem without any further delay?

**Reply:**

The road is owned by the Metropolitan Police. The Council has pressed the Police to enforce the parking regulations and the new GLA Member for Bexley and Bromley, Tom Turrell, has also recently made representations.

**Supplementary Question:**

We have had two years of this conversation and everybody is agreed, so it is not a party political issue. For two years, it has been on the brink of being solved and the reason why I wanted to bring it to Council tonight is because that is too long. The aggravation and inconvenience for people using the access road, specifically for people with limited mobility is not acceptable. We heard that the Metropolitan Police are going to set up a private parking company, which we do not object to, to enforce it. Will the Portfolio Holder take it upon himself to get a deadline from the Metropolitan Police for when this will be enacted given that this deadline has been slipping for the last twenty-four months?

**Reply:**

Cllr Turrell is sitting behind me and it is better that he deals with this matter as the Metropolitan Police Commissioner reports to the Mayor of London and Cllr Turrell in his AM role can put questions to the Mayor of London – it is not really a Council matter. It will be useful when they do put in the parking regulations and controls that perhaps Metropolitan Police vehicles will get tickets – half the problem is Police vehicles on the double yellow lines.

**Additional comment by Cllr Thomas Turrell:**

I have written to the Bromley Town members late this afternoon with an update from the Police. I have been given a number of assurances by the Police that this is coming and arrangements are in the process of being finalised. There are a few hurdles to be cleared but I can assure my colleagues that my office will continue to chase this to ensure that it doesn't slip for another two years, not least because I have received a number of emails on this issue from Hayes and Coney Hall residents.

**3. From Cllr Sam Webber to the Portfolio Holder for Renewal, Recreation and Housing, to be answered by the Leader of the Council**

To ask the Portfolio Holder about the Council's efforts to save the Bromley Picturehouse, which has recently announced it will close on 1st August. What action has the Portfolio Holder taken in conjunction with Council Officers to avoid this unfortunate decision? How can the Council ensure that another gem in Bromley's Cultural crown can be protected for future generations and ensure this important art deco building in central Bromley is safeguarded?

**Reply:**

Bromley Picturehouse is owned by the wider Cineworld group which is reported to be in talks with bidders over the sale of all their UK sites (over 100 sites) following the announcement of Cineworld's parent company going bankrupt and Cineworld going into administration last year. I am told, as background, that the Fulham Road Picturehouse closed on 11<sup>th</sup> July, and has already been sold to a residential developer. I think there is cross-party consensus that we would rather that did not happen in Bromley. There is nothing specific that the Council can do to prevent the closure of Bromley Picturehouse per se. However, the building is locally listed and the front portion is within a Conservation Area so the building itself does have some planning protection.

**Supplementary Question:**

There is a big people-powered campaign online and coverage in the News Shopper trying to safeguard the 1936 art-deco building – I know the Council will support the Bromley Civic Society in their efforts to engage with English Heritage to seek further listing of the building. I think there is an appetite on behalf of campaigners to not just safeguard the building but to try to ensure that there is a cinema on the site as has been since 1936 - Odeon, Empire and Picturehouse. If there is anything the Council can do to engage with the campaigners; a petition of 4,600 signatures to date to safeguard the building but also ensure that we have a thriving cinema in the north of

the High Street as we do at the Vue at Bromley South. Any further support that the Council and officers can give this campaign and anything that I can pass on to the campaigners. Is there any further advice or engagement that the Council can offer the campaigners doing their best to save this vital cultural asset?

**Reply:**

If we receive any more information it will be passed directly to the ward councillors. I fear, I hope that I am wrong, that Bromley cannot sustain two cinemas and this may be the crux of the issue. Maybe, the market just is not there for two. I very much hope to be proved wrong, but hopefully a business model can be found to sustain it. If we get any information you will have it immediately.

**Additional supplementary Question from Cllr Alisa Igoe:**

I was very sad to hear that the Picturehouse is closing and we have to really concentrate as a Council here. We have asked for a statement further into this agenda on the Churchill Theatre and we are possibly in danger of becoming a cultural wasteland in Bromley if we don't attempt to keep some of these cultural and arts buildings working. Would you consider trying to help the group keeping it as a cultural arts centre even if it wasn't a cinema?

**Reply:**

It is impossible to answer the supplementary question. Unfortunately, there is no funding available to sustain it, which is regrettable, but as we saw earlier, the Council's financial prognosis is that we are projected to go bust in three and a half years' time, and that is why we cannot do all good things to all good people, as we would like to. If we can help them to construct a business model or attract new people in then clearly we would do that as a very interested local third party.

**Additional supplementary question from Cllr Alexa Michael:**

My question relates to the planning protection for the building. It is locally listed and half of it is currently within the conservation area – would it make more sense for all of it to be incorporated in the conservation area to give the lovely art-deco building better protection?

**Reply:**

Cllr Michael and Cllr Bear are the people to do that. My spies tell me that you have been busy at the weekend, Cllr Webber, at meetings on this and one of the local societies is pushing for full protected status. If they can achieve that it will be fantastic. If it is only locally listed that is second-best but far better than nothing.

**4. From Cllr Tony McPartlan to the Chairman of Development Control Committee**

Unfortunately, much of UK's EV charging network is inaccessible and difficult to use for disabled people. PAS 1899, sponsored by Motability and the UK Government seeks to fix this. Will the Council commit to placing conditions on all planning applications that include EV charging points, to mandate that the charging points are PAS 1899:2022 compliant?

**Reply:**

Unfortunately, this is not a position which is currently supported by planning policies and therefore a planning condition requiring this wouldn't meet the statutory tests for conditions.

**Supplementary Question:**

Whilst that is regrettable, it sounds like it is outside our control. Could we suggest that this be put to Cllr Bear, that any applications that come from this Council, particularly from the Regeneration Team, include those accessible chargers as standard, as that is within our control.

**Reply:**

I have noted the suggestion and will speak to Cllr Bear.

**Additional supplementary Question from Cllr Simon Fawthrop:**

Can we ask developers and those providing spaces if they would be willing to comply with this, even if it is not a condition we can enforce?

(Councillor Fawthrop also declared an interest as the driver of an electric vehicle.)

**Reply:**

We can certainly ask developers if they would be willing to comply – if you don't ask you don't get.

**5. From Cllr Kathy Bance MBE to the Portfolio Holder for Children, Education and Families**

Ofsted inspectors concluded children in the borough receive “exceptionally strong services”. Which of the four inspection areas of Children’s Services, included input from Kinship Carers?

**Reply:**

The main inspection areas were Outcomes for Children in Care and Outcomes for Care Leavers. Both Kinship Carers and Special Guardianship carers were spoken to by inspectors. Ofsted inspectors spoke with four of these types of carers, having chosen the cases they wished to focus on to audit. Inspectors were very satisfied and the level of support and practice that they found for these carers was of a high standard.

**Supplementary Question:**

I was called to the Penge Kinship Carers meeting after this Ofsted and they were adamant that they were not consulted whatsoever, so maybe you are consulting with a different Kinship Carer Group? Will you work with the new Beckenham and Penge MP, Liam Conlan, to try to get some more engagement with the Penge Kinship Carers and Bromley Council services?

**Reply:**

I am certainly happy to look into that. Just to expand that point of conversing with the Kinship Carers, just last Wednesday we had afternoon tea at the Bromley Court

Hotel for all Foster Carers, which included Kinship Carers – they were all invited. I met several of them there; we also gave them awards and I stayed to the end of spoke to many of them. I did not hear anything negative at all. We do try to consult; we do invite people to these events and it is unfortunate if they cannot come. I am accessible as I can be and I will look into meeting with the Group if that is appropriate.

## **6. From Cllr Chris Price to the Portfolio Holder for Resources, Commissioning and Contract Management**

As part of the Council's Operational Property Review, a significant number of shopping parades have been sold via auction. What protections did you put in place to protect the small businesses renting the premises in the heart of our community from excessive rent and service charge increases?

### **Reply:**

Leases are governed by the terms negotiated between two willing parties; the landlord and the tenant. These terms would include procedures for negotiating rent reviews which can be taken to an independent expert or arbitrator if the parties cannot agree the rent. Service charges are governed not only by law but also according to policy as set out by the Royal Institute of Chartered Surveyors. The Council's standard form of lease thereby protects the small businesses renting the premises in the heart of our community from excessive rent and service charge increases.

### **Supplementary Question:**

These are fifteen parades across our borough that have been sold by the Council to private landlords. They are now putting in rent increases. In one ward with Conservative councillors they are going up from £11k to £34k because we sold it. Businesses in St Paul's Cray, I am told, are being offered a 60% rent increase. The freeholder is also looking to put service charges in that Bromley did not pass on before. Our local businesses do not have a business plan in place for this – they are small businesses. I spoke to one in another ward who told me that he is likely to have to close down and make his staff redundant, which is a cost that comes back on the Council. At the time of the sale, I did speak to the Portfolio Holder to say, please can we talk to Clarion as the predominant landlord or freeholder at the time. We've missed that now. What can we do as a Council to protect small businesses in Bromley – the heart and soul of so many of our communities that we seem to have just let go? What can we offer to protect them now?

### **Reply:**

The first point I would note is that the sale of those parades is a crucial funding source for our capital programme which ensures that we can continue to provide statutory services to our most valuable residents. The second point is that, following the debate on the petition, it is likely that even if the parades had remained under Council ownership it is likely that there would have been some form of increase. To finish, I would say that the leases inherited from the Council should still contain those provisions that allow tenants to resort to an arbitrator if the rent increase is not

deemed reasonable. So, I would urge those tenants, if necessary working together, to make use of those provisions and seek the service of an arbitrator.

**Additional supplementary Question from Cllr:**

What restrictive covenants were proposed by Council officers or included when the properties were sold to ensure that they could be held as businesses rather than turned into other types of property?

**Reply:**

I will have to revert to you on that in writing, but the protections in the existing leases remained.

**7. From Cllr Josh King to the Portfolio Holder for Transport, Highways and Road Safety**

Following an accident on Beck Lane over three years ago the then portfolio holder and officers refused to install bollards or barriers as requested by ward councillors and residents. Instead, we were offered additional road markings including 'dragon's teeth'. Why have the Dragon's Teeth not yet been painted?

**Reply:**

I understand that the Dragons Teeth have now been installed.

**Supplementary Question:**

Yes, they have been painted, but can I ask why it took three years and why, given this was the result of an accident and therefore a safety issue why it took such a long time and why it was not prioritised?

**Reply:**

I understand that the backlog of work. These delays are regrettable, but now they are catching up with the work.

**8. From Cllr Alisa Igoe to the Portfolio Holder for Environment**

On 05/07/23 £566,000 was added to the initial £1,350,000 cost of Tremendous, whilst reducing the aftercare period for these new trees from three years to one year. In light of the new contracts with multiple arboricultural providers, due for approval 05/07/24, was it ever considered to return to three year aftercare for new trees?

**Reply:**

The Council will always consider all options available to increase the level of maintenance provided to establishing trees. If the new contracts provide a more affordable path subject to budget provision this will be considered.

## **9. From Cllr Mark Smith to the Portfolio Holder for Children, Education and Families**

What arrangements is the Council putting in place to address all the issues and delays being experienced by parents/carers in respect of children with Special Educational Needs in their dealings with the SEN department?

### **Reply:**

As you will be aware, the challenges facing the SEN system are being felt nationally, with wide recognition that the whole SEN system requires review. However, in Bromley we have recently committed to undertake a local review of the service, capacity, structure, and its function. This is happening this summer, which will be taken to Directors in the next four weeks. Recognising that more immediate changes and improvements need to be made, the new Head of SEND is working to ensure that by the start of the new academic year, every child with an EHCP has a named Coordinator. There will also be a public commitment on stronger communication and response times by September 2024 as well, with a clear escalation process where matters may need the attention by senior managers.

### **Supplementary Question:**

Is there currently a recruitment freeze in the SEN Department, and if there is, would it not be an idea to unfreeze it to help provide a better critical service to some of the most vulnerable people in society?

### **Reply:**

There is a recruitment freeze, but anyone supporting statutory services we have to replace, it is not completely frozen. There are still hires being made when we need to make those hires.

### **Additional supplementary Question from Cllr Kathy Bance:**

Can Cllr Lymer send us that answer, which sounds really positive.

### **Reply:**

Yes, certainly.

### **Additional supplementary Question from Cllr Alisa Igoe:**

What is the backlog in SEND. I have had a couple of cases in my ward the Department has been extremely helpful, but I do feel that we are pulling it out from the middle of the pile and putting it onto the top.

### **Reply:**

We are actually improving, month on month and our backlog is going in the right direction. As of June this year, we are at 80% for making our EHCPs on time – that is above both the London and national averages. It is all going in the right direction.

## **10. From Cllr Simon Jeal to the Portfolio Holder for Transport, Highways and Road Safety**

On 8th June, one of our residents has reported that she suffered a severe head injury caused by the Civic Centre Car Park Barrier. Could you please confirm that this incident is being fully investigated, and outline what checks are carried out to check the barriers at other car parks across the borough are operating safely?

### **Reply:**

I was very sorry to hear about the accident to the lady concerned and I hope she is now fully recovered. We will be investigating this as it is something that should not have happened and any procedures that need to be changed will obviously be implemented.

### **Supplementary Question:**

The accident happened about a month ago now. Can he outline what measures have already been taken to check the safety of the other barriers across the borough?

### **Reply:**

I understand that the barriers are being looked at. I cannot comment on what actually needs to happen, if anything does need to happen. I have seen the video and it was a nasty crack on the Lady's head. She was talking to a fiend, and one went one side of the barrier and the other went the other side. Obviously, it should not have happened.

## **11. From Cllr Julie Ireland to the Portfolio Holder for Environment**

Residents who live near Waldo Road Waste and Recycling Centre continue to suffer long queues of traffic blocking their streets as residents queue for the Centre. Acknowledging there are peaks in summer and during good gardening weather, but this is a long term issue which is not improving. Does the Council have any plans to manage this traffic problem, in which case please can they be shared?

### **Reply:**

There are a number of measures the Council has taken to alleviate the issues of traffic meeting together in Homesdale Road, acknowledging that there are other commercial businesses nearby that also attract high volumes of visitors.

First and foremost, the Council has a legal duty to provide a free-to-use household waste recycling centre to Bromley's residents to dispose of unwanted rubbish and recycling.

We would always ask that residents visit our web site here [Waldo Road web cameras – London Borough of Bromley](#) to check for traffic congestion, and avoid the site at busy times.



To alleviate traffic congestion and promote changes in driving behaviour, from March 2023 moving traffic violations have been enforced by the introduction of CCTV to monitor the yellow box situated within Homesdale Road at the junction of Waldo Road. Vehicles queuing into Waldo Road re-use and recycling centre may be subject to a Penalty Charge Notice if this is ignored, which acts as a deterrent.

Traffic enforcement signs are also in place as advance warning, with further signage advising drivers *"if there are queues beyond this point please return later."*

We have diverted commercial waste customers to our other centre in Beckenham from August 2022. This has had a positive effect reducing the volume of commercial traffic into the site disposing of business waste. To reduce trips to the site for residents wishing to dispose of green garden waste, we do continue to offer discounted home composting containers [Home composting \(bromley.gov.uk\)](http://Home.composting(bromley.gov.uk))

Residents who live within the borough can purchase a black or green 220L or 330L compost bin for 50% off the full retail price and a second container for 25% of the full price retail price.

For those residents who do not wish to home compost for any reason, we do offer our green garden waste wheelie bin collection service is available for £70 per year with collections every other week from the kerbside. We currently have 46,325 customers who chose to have collections of green waste from their homes, which means that they do not need to go to the recycling centre.

Additionally, we have our Norman Park satellite site operates every Saturday from 11am to 4pm from April through to late autumn; that also helps to alleviate.

**Supplementary Question:**

I thank the Portfolio Holder for that full response, and I am thankful for all the work he and the officers have done to try to alleviate the problems at Wado Road. We know about the yellow box; we know about the green waste; we know there is a really difficult layout to the road, but the trouble is that all these things that have happened in the last few years are not solving the problem. Have we got a Plan B, because all of these things are simply not working? It is absolute hell in Homesdale Road at weekends and residents cannot move – is there any kind of Plan B being formulated for the residents who live near Waldo Road?

**Reply:**

As you know from the last Environment and Community Services PDS Committee, we will be carrying out works to Waldo Road as part of the capital works programme, I can confirm that while those works are going on at Waldo Road and then at Churchfields, we will be introducing a booking system. That will be one way to assess; I cannot say at the moment whether we will keep it after the works are completed, because I do not want to say yes and then it is a complete shambles. While the work is going on we can properly assess what traffic is coming from Waldo Road and what is from the other commercial businesses. We can see what the traffic volume really is and then we can act accordingly once we fully re-open the site.

Once the site is finished, we are hoping that accessibility within the site will be better which should mean that people can get in and out of the site quicker, which helps to alleviate the problem.

**Additional supplementary Question from Cllr Graeme Casey:**

I am pleased to hear about the introduction of a booking system, even if it is a temporary measure. Regarding your statement about whether it will continue in future, can you tell us what problems you can see ahead with the use of a really simple booking system compared to a camera which shows blank but it is all jammed twenty minutes later when you get there.

**Reply:**

There are problems with every single system. The reality is that there will probably be technical difficulties once we start introducing the system, getting people aware that there is a booking system. I can foresee that we will probably have to turn people away when we first introduce it. Once that happens, though, people become aware of it and it operates in a much smoother fashion. I'm not saying that it definitely will not work, but, before we make anything permanent I want to see how it works and then we can make a decision once the works have been done, once we have a new site up and running.

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

In September last year, the Council's Executive took the decision to dispose of the Freeholds of Community House and Beckenham Public Halls - have these transactions been completed?

**Reply:**

For Community House, yes, for Beckenham Public Halls, no.