

MEETING

28<sup>th</sup> FEBRUARY 2011

ORAL QUESTIONS BY MEMBERS OF THE COUNCIL

**1. From Councillor Michael Tickner of the Chairman of Development Control Committee**

How long does it take Bromley Council to serve an urgent Tree Preservation Order once the need for such action has been agreed?

**Reply:**

The Chairman advised that the power to authorise the making of Tree Preservation Orders (TPOs) was delegated to the Chief Planner and while some TPOs had been made as the result of surveys of parts of the Borough, for example woodlands in the Green Belt, Petts Wood, Park Langley and Worlds End Lane, in recent years most TPOs have been made in response to development pressures. They were therefore urgent to varying degrees and priority was given to these cases on the basis of the perceived risk to the trees. Where a tree was clearly being threatened it was usual to inspect the tree and make the TPO as soon as possible, the fastest on record was around 2 hours! However in most cases a TPO was made where appropriate within 10 days.

**Supplementary Question:**

Councillor Tickner asked whether the Chairman was aware that in his ward (Copers Cope) a constituent notified the Department's Tree officer on 25<sup>th</sup> July last year, by letter delivered by hand that day, that a fine Lime tree at No 89 Copers Cope Road, Beckenham, on the boundary with Grangewood Lane, required urgent protection from felling because the owner intended to fell the tree to facilitate a planning application for revised access to build on Metropolitan Open Land, known as 'the Old Nursery Site' at the rear of Nos 91 to 117 Copers Cope Road. A reply was received very efficiently by telephone the next day that the photographic evidence supplied by my constituent was sufficient to permit the immediate issuing of a TPO on the Lime Tree. My constituent reminded the Tree Officer again about the urgency yet 11 days later, after the Council was alerted, this tree was felled in the presence of a Council Officer, apparently because the TPO paperwork was not completed. Councillor Tickner asked if the Chairman agreed that through bureaucratic bungling and administrative inertia the Department failed miserably to protect this tree in his Ward, and what steps would be taken to ensure this never happened again?

**Reply:**

Councillor Michael replied that she was not aware of this situation. She considered that we were very fortunate to live in a Borough with so many fine tree specimens and it was always her wish to preserve them unless they were genuinely diseased or dying. The Chairman was sorry that there appeared to have been a breach in the otherwise very good record of protecting trees. She would work to ensure that this lack of action did not happen again and that protection was given when the risk to a tree was very serious.

**2. From Councillor Mrs Anne Manning of the Portfolio Holder for Children and Young People**

What importance does the Portfolio Holder attach to the role of the Corporate Parent?

**Reply:**

The Portfolio Holder thanked the member for this question which highlighted a very important matter. Corporate Parenting was the term used to refer to the collective responsibility of the council to provide the best possible care and protection for children and young people who were 'looked after', that was, those who were in our care publicly. Effective corporate parenting required commitment from **all elected members** and council employees and an authority wide approach.

As the current Portfolio Holder for the Children and Young People Service, Councillor Noad was politically accountable for looked after children and he took very seriously the role to promote good outcomes for all the children and young people who came into care for whatever reason. Almost all looked after children were in care because of neglect, abuse or family dysfunction. It was our responsibility to make their needs a priority and seek for them the same outcomes any good parent would want for their own children in terms of health, education and employment.

The Portfolio Holder stated that it was important to him that he met with, and spoke to, young people in the care of the authority so that he could begin to understand the experience of being in care and the effects of the services and policies that we make for them.

The Safeguarding & Corporate Parenting Executive Working Party was the key mechanism for how he monitored the Council's progress and outcomes in respect of corporate parenting. The Working Party met every two months to consider activity, outcomes, pressures, services and policy developments for looked after children. The Working Party comprised of a small number of Elected Members who were also Looked after Children champions within the Council.

**Supplementary Question:**

Councillor Mrs Manning thanked the Portfolio Holder for his reply and asked how he intended to alert all members in more detail, particularly those elected more recently to the Council, to their roles and responsibilities; and how they could best serve the interests of our Looked after Children.

**Reply:**

Councillor Noad advised that the Executive Working Party was currently looking at the 'Bromley Pledge', a large document produced on a pan London basis. Members and officers were working with a group of young people from the Youth Council in finessing that Pledge so that it suited our needs as a Council. This work was very nearly completed and it would then be circulated to all members of the Council for their information and hopefully highlight the responsibilities all members shared for this very vulnerable group of young people.

**3. From Councillor Tom Papworth of the Portfolio Holder for Renewal and Recreation**

Please will you list all of the libraries in the Borough and for each library provide the average number of visitors per month; the average number of books lent per month; the cost of running each library; the cost per visitor and the cost per book lent for the last year when figures are available.

**Reply:**

The Portfolio Holder advised that a written schedule had been produced and circulated (Appendix 1 – revised version) which he was sure would be of interest to all members. He commented that if there were any matters that needed clarification then to speak to him about it.

**Supplementary Question:**

Councillor Papworth thanked the Portfolio Holder for the information. He drew attention to the fact that there were five libraries that cost more per visitor than Anerley Library and also pointed to the disparity between the cost per visitor and the cost per book issue which demonstrated the many additional services provided at Anerley Library to local ward residents. He referred to the Petition that he, Councillor Canvin and a local resident had handed in to the Portfolio Holder on Monday, the signatures to which still continued to flood in, and asked whether the Portfolio Holder would now agree to protect the library service in Anerley and keep it open.

**Reply:**

Councillor Benington responded that he had noted the figures and he felt that account needed to be taken of the fact that for every book issued the information would be included as a 'visitor' in the data but on many of those

occasions it could be that more than one visitor attended for one issue. He appreciated that there were many services provided at the libraries for which visits were made but would not be recorded as there had been no books issued. All libraries were being considered as part of the Library Review and there was a meeting of the Renewal and Recreation PDS Committee on 12<sup>th</sup> April 2011 when the final report would be discussed as to the future for all of the libraries and the service generally. No pre decisions had been made.

#### **4. From Councillor Nicholas Bennett JP of the Portfolio Holder for Children and Young People**

Pursuant to my question at the last Council Meeting if he will give the following information for each year since 2005?

1. How many children of mixed or black heritage were adopted by;
  - i. a couple where both adopters' were white;
  - ii. one adopter was a mixed or black heritage;
  - iii. both adopters' were of mixed or black heritage?
2. How many children of mixed or black heritage were awaiting adoption in each of these years?
3. How many potential adopters' were;
  - i. white couples;
  - ii. a white and a mixed or black heritage couple;
  - iii. a couple of mixed or black heritage?

#### **Reply:**

Councillor Noad advised that in the interests of clarity because of the number of figures involved he had had the information circulated around the chamber (Appendix 2).

#### **Supplementary Question:**

Councillor Bennett noted that this Borough was far ahead of the National Guidelines in encouraging couples of a different background to adopt when there were no parents of the same race available. In addition, in Bromley many white parents were adopting mixed race or black children. He asked whether the Portfolio Holder would show this to Mr Gove who had recently issued new guidance to follow the route Bromley had already taken.

#### **Reply:**

The Portfolio Holder responded that it had been the Council's policy for some time to ensure all children had a strong sense of who they were in terms of their identity. If the right potential adopters came forward regardless of their

ethnicity then the children were matched with those couples and he would pass on Bromley's experience to Mr Gove.

**5. From Councillor Peter Fookes of the Portfolio Holder for Adult and Community Services**

What consultation has taken place with families of users of day centres to introduce charges?'

**Reply:**

The Portfolio Holder reported that more than 700 letters had been sent out to service users or their families of Council run or funded day centres. As of 28<sup>th</sup> February - 165 people who attended day centres had responded to the consultation.

In advance of these letters being sent officers met with the managers of all the borough's day centres for Older People in January to discuss with them the proposals and to seek their advice and assistance on how to effectively consult service users.

He was pleased to say that our providers assisted with distribution of the letters, including advising where letters needed to be sent to family members. Day Centre staff have also been on hand to explain the letter and to assist service users with writing their replies.

Some providers, for example Bromley Mindcare decided to organise special consultation meetings with service users and their families.

With regards to users of Learning Disability Day Centres, service users and their families had also received letters and consultation meetings had been held attracting over 90 people. Bromley Links and Mencap also hosted a meeting where approx 50 people attended.

Officers were currently collating the views that had been expressed during the consultation and would be reporting these to the Portfolio Holder so that he could consider them carefully before coming to a final decision regarding this matter.

**Supplementary Question:**

Councillor Fookes commented that the policy of charging users of Day Centres up to £250 per week was a nonsense and was it not time for the Portfolio Holder to consider abandoning this policy.

**Reply:**

Councillor Arthur accepted that the member had a genuine interest in Day Centres but felt that it was unfortunate of him to have written to people saying it was a disguise for a planned closure of the Centres which was entirely

untrue. The Portfolio Holder had received a petition that day which included a 'worked' example of how a family could be impacted. He had also received a detailed responses from the Council on Aging and others which had caused him to look at this further in great detail. Councillor Arthur accepted that if the charges outlined were introduced it could impose an unsatisfactory level of charges on certain families. Therefore when the decision finally came before him he would keep this in mind and anticipated making some amendments to the charges to accommodate the point Councillor Fookes had raised.

## **6. From Councillor Nicholas Bennett JP of the Leader of the Council**

What progress has been made since my question at the meeting on October 25<sup>th</sup> 2010 with regard to Her Majesty the Queen's Diamond Jubilee in 2012?

### **Reply:**

The Leader of the Council advised that since the question was last raised on the 25<sup>th</sup> October, the Council could now announce that a formal submission had been made to the Royal Household for a royal visit to coincide with a proposed Diamond Jubilee Event in Bromley. The feedback received so far from the Royal Household looked encouraging and preparations were now underway to develop this event. Councillor Carr stated that he would be meeting with representatives of the Royal Household on 4<sup>th</sup> March 2011 to further progress preparations, although they were still at an early stage and would obviously require close coordination and the agreement of the Royal Household at all stages. It was therefore likely that a further report would be taken to an appropriate meeting of the Renewal and Recreation Portfolio Holder, who was leading, on this event,

In addition to this, officers were developing a 'Diamond Jubilee Celebration tool kit' for use by local community groups and resident associations; this would be available shortly via the Council's website as well as in hard copy. The recent relaxation of the regulations and charges governing street parties had also been made available to interested groups as well as via the Council's website.

### **Supplementary Question:**

Councillor Bennett thanked the Leader for his informative reply and was sure all would welcome, if possible, a member of the Royal Family visiting the Borough. He asked what progress had been made on having a Co-ordinating Committee to make sure that visits such as that and other events taking place across the Borough did not clash.

### **Reply:**

Councillor Carr replied that a formal Committee had not been set up yet but he was sure that the Officers would take this on board to make certain that there was proper coordination and no clash of events.

**7. From Councillor Fookes of the Leader of the Council**

Does he support the Localism bill?’

**Reply:**

Councillor Carr responded that he supported the general direction of the Bill but thought it was rather like the curate’s egg, good in parts.

**Supplementary Question:**

Councillor Fookes asked why in effect the people of this Borough were being prevented from determining their own Council Tax this year as they were being bribed with their own money?

**Reply:**

Councillor Carr was unsure that his comments warranted a reply as we were not being bribed by anyone. He welcomed the un-ringfencing of grants and the approach the government was taking; including the opportunity to work with them to deliver what was right, fair and proper for the most needy in our communities.

**8. From Councillor Nicholas Bennett JP of the Leader of the Council**

Whether he will consider establishing a small innovation unit, from existing resources, to help staff interested in establishing social enterprises or stand alone companies for those aspects of the Council’s operations which could be marketed to other authorities and/or to Academies?’

**Reply:**

The Leader said the general answer was yes and he would be working with the Assistant Chief Executive for Human Resources to formulate something more specific as soon as possible.

***Councillor Bennett indicated that he did not have a supplementary question.***

**9. From Councillor Peter Fookes of the Portfolio Holder for Children and Young People**

On what basis, was it determined that only three children’s centres were needed in the borough?

**Reply:**

The Portfolio Holder explained that the funding for Children and Family Centres was from a specific SureStart Grant in the current financial year. From 2011/12 SureStart grant had been included in a new un-ringfenced grant, the Early Intervention Grant (EIG). This grant was comprised of a number of previously specific grants to deliver statutory services, these included Connexions, SureStart, Short Breaks for Disabled Children and several others. The baseline for the grant was £13.4m, however, the Government had reduced that by £2.4m. This reduction in the grant was in addition to reductions in the main Government grant to the Council and had led to a reappraisal of the Council's Children and Family Centre Programme.

The proposals currently out for consultation would result in five of the phase three centres which were in the least deprived areas of the borough not being built and a further 15 centres not being funded by the Council in future. The Centres that would remain were in the most deprived areas of the borough with an additional borough-wide service for children with disabilities. This would see the Sure Start programme returned to its original purpose of providing support for the most disadvantaged children and families. It was our policy that the remaining centres would act as a service hub with some services taking place at the centre and others in the local community. The two centres which were likely to remain were also those providing day care so that parents could return to work.

Finally in addition to the remaining centres, we would be investing in the Bromley Children Project using grant funding. This service would continue to support early intervention and target families which might otherwise go on to require support from such services as social care or mental health services.

**Supplementary question:**

Councillor Fookes asked what was going to be done with all the empty children's centres, as obviously the schools themselves would not necessarily be able to fund some of these services?

**Reply:**

Councillor Noad responded that there were a number of innovative ideas for these centres. In addition many of them were not in schools but in Libraries and that service would take over the accommodation. The schools that did have these centres were more than likely to make use of the space very creatively and would welcome that additional accommodation. There were one or two Centres that were free standing and these would be handed back to the local community for their own use.



**10. From Councillor Julian Grainger of the Portfolio Holder for the Environment**

**Residents Parking Permits**

1) Please can the Portfolio Holder find out:

- a) What are the “criteria” sought by the Council for Residents Parking Permits?
- b) When and in what forum were they approved by Members?
- c) Where are these criteria published?
- d) Why it has taken 10 months and 5 questions and still no information on these mysterious criteria?
- e) Would the Portfolio Holder agree that for the benefit of all users (Residents, Members and officers) there should be an accessible archive of such policies?

**Reply:**

The Portfolio Holder replied:

- a) There was no rigid “criteria” sought by the Council per se in respect of the issuance of Permits.

The unwritten, but oft stated “criteria” adopted by this Portfolio Holder and his predecessor when making recommendations on such matters was that where requests for parking restrictions were sought by residents groups and/or local Ward Councillors, the department would do what it could to accommodate such requests. This was provided that a majority of local residents who responded to the accompanying consultation indicated that they wished to see such changes implemented.

Specifically regarding residents parking permits, these would be considered on the same basis, in cluster areas where specific parking issues caused parking concerns across a wider localised area.

- b) These “criteria” had been approved by Members of the relevant PDS Committee when each scheme passed through scrutiny prior to implementation.
- c) See my answers to ‘a’.
- d) I do not immediately recognise your assertion. Neither do I see anything “mysterious” about the criteria.
- e) No I would not personally but should the PDS take a different view on the matter and wish to create such an arrangement so be it. I think the

current approach outlined above is straightforward, works perfectly well as it does at present and was accepted by most people as being workable, easy to understand and fair.

**Supplementary Question:**

Councillor Grainger commented that it was refreshing to hear outright that there were no criteria but said why then in December 2009 an officer had stated that 'the request did not meet the criteria', thereby implying there was some criteria. This also gave an idea of how long the requests had been going on and he asked Councillor Smith to explain why officers were unable to definitely say there were no written criteria? He also asked whether the Portfolio Holder was aware that there were statutes such as the Local Government Act 1972 Section 228 which gave the public a right to certain documents. If residents did have such requests would it not be a lot easier for them to know where to go rather than having to ask several times and get no answers.

**Reply:**

Councillor Smith said that he would do his best to reply. But where to begin! He was not immediately aware of what emails may or may not have been sent in 2009 but he would come back to Councillor Grainger on that point, if he could be a little more specific. Regarding providing sight of documents which did not exist, he said he was lost for answer, but should the PDS want to develop such a policy he would not oppose it.

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