



CROYDON COUNCIL MEETING: MONDAY 1 JULY 2013
PUBLIC QUESTION TIME
WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

Welcome to a meeting of Croydon Council. Attached are the questions from the public and the replies which will be taken at this meeting.

IF YOU HAVE ASKED A QUESTION, PLEASE MAKE YOURSELF KNOWN TO THE MEMBER OF STAFF WHO IS PRESENT IN THE PUBLIC GALLERY, THEN READ THE REPLY TO YOUR QUESTION AND INDICATE WHETHER YOU INTEND TO ASK A SUPPLEMENTARY QUESTION - a roving microphone will be available for that purpose.

Public Question time is usually towards the beginning on the meeting and the process for this item is as follows:

- ◆ The questions will be taken in the order in which they were received by the Council;
- ◆ The question and the reply will be taken as read;
- ◆ The person who asked the question, if present, will then be invited to ask a supplementary question, (if they wish) to clarify a point related to the reply they have been given in the written answer. The **length and detail of such a question should be brief** and at the discretion of the Mayor, allowing for the time available and the number of other questions which need to be dealt with;
- ◆ Public question time is limited strictly to **15 minutes** - if all the questions and answers have not been reached at the end of that time, the other replies will be taken as read and there will be no further opportunity for asking supplementary questions at that meeting; and
- ◆ Questions will not be carried over to the following meeting, but it is of course in order for questioners to ask another question on the same or another topic before the next meeting.

After the public question time you are very welcome to stay for the rest of the meeting

Question Number	Question to Cabinet Member	Question From	Subject
PQ031	Pollard	Mr J Thompson	Free schools
PQ032	Perry	Mrs A Morton	Building flats
PQ033	Thomas	Mr S Khan	Viridor
PQ034	Fisher	Mr P Collier	Mayoral engagements
PQ035	Perry	Mr P Lee-Morris	Buildings at West Croydon
PQ036	Fisher	Mr J Cartwright	Council speakers

PQ037	Fisher	Mr M Samuel	Land purchase
PQ038	Bashford	Mr D Ottley	Furniture in Taberner house
PQ039	Fisher	Mr A Crawley	John Laing Ltd
PQ040	Mead D	Mr A Rendle	Old Ashburton Library
PQ041	Pollard T	Mrs C Rendle	Riesco collection
PQ042	Mohan	Mr A Pelling	Croydon Business Rate Scheme
PQ043	Pollard T	Mr D White	Riesco collection
PQ044	Fisher	Mr D Canning	Pamphlet delivery
PQ045	Fisher	Mr R Carter	Web page documents
PQ046	Pollard T	Mr D O'Donnell	Riesco collection
PQ047	Pollard T	Ms J Prince	Recording at meetings
PQ048	Pollard T	Mr P Sown	Riesco collection

The attached replies are subject to oral amendment by the Cabinet Member or Committee Chair.

From Mr James Thompson

Councillor Tim Pollard

Deputy Leader (Communications) Cabinet Member for Children, Young People and Learning

Question No.

PQ 031–13

It was recently announced that Croydon can expect three new free schools to be opened in the next few years. With schools places in desperately short supply due to chronic underinvestment by the last Government, how does Cllr Pollard feel Croydon Labour's political opposition to free schools will play amongst worried parents?

Reply

The questioner is correct about the recent announcement. A few weeks ago the DfE announced the next round of Free School allocations and Croydon has been allocated three free schools – two primary and one secondary. This is really good news for the Croydon Council tax payer. The Council is responsible for ensuring that there are sufficient school places and so has to fund any new places that are needed which the government does not fund. Central government directly funds both the capital and revenue for free schools, and so this announcement lifts a significant funding burden from the Council, to the benefit of Council tax payers.

I think that worried parents will be concerned about the Labour group's opposition to free schools, particularly once their children are happily settled in these schools. Labour's obsession with control and indebtedness to the teaching unions forces them to take a ludicrous stance based on misguided ideology. By contrast, I have repeatedly confirmed that this Conservative council is entirely uninterested in the model of governance chosen by a school, provided that it is a good school delivering positive outcomes for young people.

From Mrs. Ann Morton

Councillor Jason Perry

Cabinet Member for Planning, Regeneration and Transport.

Question No.

PQ 032–13

How many more flats are there going to be in the already over populated town?

Reply

The Croydon Local Plan: Strategic Policies, adopted on 22nd April 2013, sets out in Policy SP2 that the council will seek to ensure that a choice of homes is available in the borough to meet the need for homes for different sizes by setting strategic targets. Outside of the Croydon Opportunity Area the strategic target is for 60% of all new homes built by 2031 to have three or more bedrooms. Within the Croydon Opportunity Area the strategic target is for 20% of all new homes built by 2031 to have three or more bedrooms. The Croydon Opportunity Area Planning Framework distributes these across four broad areas with the highest proportion of three-bedroom homes (45%) being in the southern, northern and Old Town areas of the opportunity area. The lowest proportion of three-bedroom homes (5%) is in the retail core centred on North End.

The need for new homes is driven by the borough's growing population which the Greater London Authority projects will grow to over 440,000 by 2031. Therefore, the Croydon Local Plan: Strategic Policies plans for 20,200 new homes from 2011 to 2031.

The types of new homes built in Croydon is in part determined by the market as developers will only build homes that will sell, or affordable homes that housing associations (Registered Providers) have a need for. The council takes into account local character when determining planning applications and Policy SP4 of the Croydon Local Plan: Strategic Policies requires development to be informed by the distinctive qualities and identities of the Places of Croydon. The council also takes into account the Public Transport Accessibility Level of each development. Higher density development is directed to those areas with the highest levels of public transport accessibility including the Croydon Opportunity Area. Currently 85% of the new homes with planning permission, but not yet started are flats or maisonettes totalling over 3,500 new homes.

From Mr Shasha Khan

Councillor Phil Thomas

Cabinet Member for Highways and Environmental Services.

Question No.

PQ 033–13

Viridor won an almost identical contract to manage waste in Glasgow earlier this year. Over in Glasgow they are using a three tiered process to maximise the reuse of recyclables resulting in a £254m (£200m here) saving and creating 254 (44 here) jobs. Have councillors been duped in Croydon?

Reply

As the assertion that we have been 'sold short' is forceful I will be equally forceful. The assessment made is very shallow, commercially very naive, and simplistic because of this they have drawn the erroneous and inaccurate conclusion that Glasgow have a better deal.

There are a number of issues to address here.

1) The Partnership's savings are now actually over £200m over 25 years but actually we will be making an additional £6.3m p.a. of savings on a unique Interim service deal while construction is under way.

2) Glasgow's savings are across an Integrated contract. These stand at £250m but if we build in savings from other contracts (made in current negotiations on Phase A services) to mimic an integrated approach and extrapolate these over 25 years (so as to compare apples with apples) we would be getting to around £300-£325m of savings

3) As for pre-treatment it is a very expensive way of pulling about 6-8% additional recyclates from the waste as ultimately you are building a piece of capital which is paid for and fed into a model requiring 25 years of indexed returns. 6-8% of additional recycling could easily be achieved far more cheaply by kerbside collection initiatives we are looking at in the collections contract.

4) Savings can never be compared directly unless base costs are understood.

5) 254 jobs created is because of the much wider range of service Viridor are undertaking.

From Mr Peter Collier

Councillor Mike Fisher

Leader of the Council

Question No.

PQ 034–13

Would it be possible please for the Council to provide the list of engagements undertaken by the Ex Mayor Councillor Eddy Arram and his Deputy Mayor Councillor Tony Harris during their Mayoral year.

Reply

I thank Mr Collier for his question.

For information I can tell him that Ex Mayor Councillor Eddy Arram undertook 433 appointments during his year in office. Former Deputy Mayor Councillor Tony Harris took on 198 appointments.

A hard copy of the list of engagements can be obtained from the Mayoral Services Office. The email address is the.mayor@croydon.gov.uk or telephone 0208 605764.

From Mr Philip Lee-Morris

Councillor Jason Perry

Cabinet Member for Communities and Economic Development.

Question No.

PQ 035–13

What is going on with the derelict buildings adjacent to the tram lines before West Croydon tram station? They appear to have been in a state of disrepair for quite some time and simply fuel the perception that West Croydon is nothing but a dump.

Reply

Numbers 6-44 Station Road, West Croydon, lie within a development proposal site that is identified in the West Croydon Masterplan as suitable for two tall residential buildings. The existing buildings (other than the facades of numbers 6-12, which the Council would like to be retained as they are on the Council's 'Local list of buildings of special architectural character') would be demolished as part of the development.

The site is owned by Portman Square holdings, who have a development agreement with Barrat Homes. Occupiers are on a short lease pending redevelopment of the site.

In early 2012 the Council received a planning pre-application submission from Barratt Homes in relation to this development (ref: 11/02926), but no scheme was agreed. Officers continue to liaise with the owner and developer through the quarterly West Croydon Masterplan Implementation Group, the most recent meeting of which was 24 April, 2013. At this meeting the developer updated on work to revise their proposal and the Council expect detail of this by the end of July. The Council's Housing Development & Regeneration Team will proactively work with the developer and owner to seek to bring forward the regeneration of this site and to continue to secure and promote the wider uplift of the area.

As well as the development scheme for this site, there is significant investment ongoing in the public realm of this area through the £4.6m West Croydon interchange project and public realm works. This includes a programme of retail building frontage improvements, for which Officers are working with designers to identify areas of importance and need. Initial shopfront proposals are due to be shown to community groups on 2 July for London Road. Once designs for the targeted areas for shop front improvement have been agreed, freeholders and businesses will be engaged in conversation and costs for prospective improvement work calculated.

Potentially, in the short term, the shops along Station Road that are in a poor condition might be part of this shopfront programme through measures to uplift the appearance and public face of these premises. Officers will seek to liaise with the

owner and occupiers to explore this, though the scope for investment of building frontage improvements funds will need to be considered in the context of improvements being abortive on development of the site and the willingness of the owner to contribute financially to the scheme.

The state of buildings at 36 - 38 Station Road (the vacant premises) has been considered by the Council's Planning Enforcement Team but is not causing public harm such that any enforcement action under section 215 of the Town and Country Planning Act (Untidy Land) could be taken. The state of repair of other buildings in this parade are also being investigated by the Planning Enforcement Team. The Enforcement Team will keep Cllr Mohan informed when they have made a decision as to whether any enforcement action is appropriate.

From Mr John Cartwright

Councillor Mike Fisher

Leader of the Council

Question No.

PQ 036–13

How, and when, do the party groups on the Council decide which councillors will speak for and against the motions on the agenda of Council meetings?

Reply

I thank Mr Cartwright for his question.

The Council's Constitution Part 4A, 3.52 – 3.63 sets out the process for submission of the wording for the debate motions, the number of speakers and the time allotted to each speaker.

The question of how and when do groups decide on speakers is a private matter for each party group to decide. As such this matter is not covered by the Council Constitution.

From Mr Mark Samuel

Councillor Mike Fisher

Leader of the Council

Question No.

PQ 037–13

How can the leader possibly explain:

(1) why, £1,780,000 was spent on the purchase of land for a new school in Haling Road, BEFORE any public consultation commenced;

and;

(2) will he detail where precisely, this illogical "process" is today?

Reply

Thank you for your question.

In all dealings that the Council undertakes in either buying or selling land, it is our duty to get the best possible value for Croydon residents. In this instance, we have purchased a piece of land as a potential school site to help tackle the projected shortage of school places across the Borough. This was entirely in keeping with our school estates strategy which had identified a clear additional demand for primary school places in this area that could not be met from the existing schools.

A full report on the business case for purchasing this land was presented to the Corporate Services Committee, who in turn recommended to the Cabinet Member that approval be given. By purchasing the land before any consultation had taken place, or indeed before planning permission had been sought, the Council was able to secure the land at the best possible price for Croydon residents. It would have been illogical to undertake expensive consultation or to seek planning permission prior to purchasing the site as it would have driven up the cost of the land and the Council may yet have been outbid by another developer.

The availability of sites in this area has proved to be very limited and therefore it is necessary to ensure suitable sites are acquired when opportunities arise if the Council is to meet the increasing demand for pupil places.

Of course, this is not a scatter gun approach to land purchasing. Prior to purchase various investigations were undertaken to assess the suitability of the site for the proposed use including pre planning and feasibility advice. Public consultations have taken place in respect of the school proposal and the design and layout of the school. A full planning application has also now been submitted.

From Mr David Ottley

Councillor Sara Bashford

Corporate and Voluntary Services

Question No.

PQ 038–13

What is the preferred option with regards to the sale of furniture and surplus equipment from Taberner House?
Does this include electrical appliances as in computers, printers, copiers etc.?

Reply

It is not the Councils' intention to sell any furniture or surplus equipment from Taberner House.

The proposal is that surplus furniture that is deemed to be safe for reuse from Taberner House will initially be used to improve the working environments within the remaining Council properties.

After such time, any furniture items remaining will be redistributed to schools and third sector groups ("not-for-profit" voluntary and community groups) with a clause that they cannot resell said items.

Should there be any residual furniture items left these items will be recycled into component parts.

With regard to electrical appliances (e.g. computers, printers, copiers ...etc.) all of these will be reused within Bernard Weatherill House and other Council properties. The remaining ICT (Information & Communication Technology) electrical appliances will be held as spares.

From Mr Alan Crawley

Councillor Mike Fisher

Question No.

PQ 039–13

Was the Council Leader or any other person who signed the contracts with John Laing Ltd, aware of the tax arrangements of its parent company, Henderson Group; and can any contract that Croydon Council has with John Laing Ltd be sold by John Laing Ltd to John Laing Infrastructure Fund Ltd?

Reply

[NB: the Council does not contract with any entity called John Laing Ltd. CCURV arrangements are with John Laing Projects & Developments (Croydon) Limited & John Laing PLC (as guarantor). The proposed libraries contract is with John Laing Integrated Services Ltd. The answer below assumes the question is referring to these organisations].

The Council has a partnership contractual relationship with John Laing Projects & Developments (Croydon) Limited ('JLPDC') through CCURV Llp where the Council and John Laing are 50/50 equity partners. John Laing Plc acts as guarantor to JLPDC's obligations in the CCURV partnership.

Under the CCURV arrangements, JLPDC may transfer its interest to a group company with the consent of the Council, such consent not to be unreasonably withheld where the transferee has similar resources, experience and a consistent approach to partnering as John Laing Projects & Developments Croydon Limited). A group company in this context comprises any of the subsidiaries of John Laing PLC.

The Council has another potential contractual arrangement with John Laing Integrated Services Ltd ('JLIS') through the proposed contract for the provision of library services the procurement of which is in the final stages. The Council as part of this procurement process took closely into account the financial viability, legal standing and status of JLIS. Such checks are undertaken as part of the 'pre qualification' stage of a procurement process and companies that do not fulfil the necessary criteria are unable to take part in the substantive procurement. The process is rigorous. However, the tax arrangements of companies operating within the UK are the concern of Her Majesty's Revenue and Customs.

It is not appropriate for the Council to comment on the details of a contract being negotiated with a third party which is still the subject of a procurement process. However, contracts that the Council has with external companies (particularly for

larger scale projects) typically contain 'change of control' provisions dealing with the ability of the contractor to assign its shareholding to affiliated parts of its company group. These are standard contractual provisions and the proposed contract with JLIS will be no different in that regard. Similarly it would be possible for a contractor to 'assign' the benefit and obligations of a contract to a third party subject to the Council consenting to this and being satisfied that any such assignment is in accordance with procurement regulations. In either of these scenarios, the contracts are drafted in such a way that the quality of the service and the obligations of the private sector to work to the contract are unaffected.

From Mr Andrew Rendle

Councillor Dudley Mead

**Deputy Leader (Statutory) (Capital Budget and Asset Management)
and Cabinet Member for Housing.**

Question No.

PQ 040–13

Can the cabinet member responsible please tell me who owns the Old Ashburton library building, also who is responsible for keeping it safe and secure and how is this being done?

Reply

The building is owned by the Council and the Asset Management Team is responsible for managing the asset. The security of the site is arranged through the Council's FM providers. The property has been fully hoarded and lower windows boarded to prevent access. The building is included within the patrol schedule for vacant properties.

From Mrs Caroline Rendle

Councillor Tim Pollard

Deputy Leader (Communication) and Cabinet member for Children, Families and Learning.

Question No.

PQ 041–13

Will the council release written evidence to support claims the Riesco family support selling some of the collection. And if the theatre is to be renamed the Riesco Theatre has the council contacted the Ashcroft family to see if they are supportive, and if so when and what was the response?

Reply

The Council is not minded to provide any further details at this time as members of the family have been inconvenienced by the amount of unsolicited contact that this matter has caused.

At present, while a suggestion has been put forward to re-name the Ashcroft Theatre the Riesco Theatre, any such decision will be dependent on the renovation of the theatre so there has not yet been contact with the Ashcroft family.

From Mr Andrew Pelling

Councillor Vidhi Mohan

Communities and Economic Development

Question No.

PQ 042–13

Further to PQ 004-13 please detail the number of applications received for the Croydon Business Rate Relief Scheme within the originally designated area, along with the number of applications approved to date, providing the names of the successful businesses, if possible.

Reply

Two formal applications for the Croydon Business Rate Relief Scheme within the originally designated area have been received. Both applications have been approved. The successful businesses are Solium Capital Ltd and Inalytics Ltd. Case studies on both organisations have been publicised. The anticipated benefits from their relocation to the Croydon New Town (CNT) area include 32 safeguarded jobs, along with 34 new jobs created.

There is one application currently being processed and four additional companies within the current pipeline have indicated a strong interest in the scheme and these are anticipated to materialise into firm applications. The scheme has also generated enquiries from other businesses that were ineligible, mainly due either to their size, or proposed locations within Croydon. Consequently, due to the nature of the demand experienced; the scheme has now been extended to accommodate more businesses. This includes SMEs taking on a smaller office space with growth plans and a wider geographical area within Croydon and details will be publicised in the near future.

Given the above considerations, we anticipate a significant increase in take-up over the next few months, following the associated planned marketing and promotional activities.

From Mr David White

Councillor Tim Pollard

Deputy Leader (Communications) and Cabinet Member for Children, Families and Learning.

Question No.

PQ 043–13

Why has the Council not made available promptly documents which show the legal basis on which Raymond Riesco left his ceramics collection for the people of Croydon? Why did the Leader of the Council not reply to my email of 10 June on the subject?

Reply

I thank Mr White for his question. As is the Council's normal practice requests for such documents were dealt with as Freedom of Information (FoIA) requests and as required by Guidance issued by the Information Commissioner. Responses were provided to those requests within the statutory timescale required by FoIA.

Your e-mail to the Leader of the Council dated 10 June requested documents relating to the Riesco collection and was properly acknowledged on 11 June notifying that it would be dealt with as a request under FoIA.

From Mr Robert Canning

Councillor Mike Fisher

Leader of the Council

Question No.

PQ 044–13

To ask the Leader of the Council which councillors have delivered Viridor's 12 page pamphlet "Beddington Energy Recovery Facility" in Waddon ward.

Reply

Thank you for your question.

As I'm sure that you are aware, there is a large volume of misinformation, rumour and scaremongering surrounding the planned facility. This has a negative impact on residents' ability to be made aware of the correct facts about the benefits that the facility will bring to the area served by the waste partnership and the Waddon ward in particular.

On that basis, I am pleased that Councillors have helped to ensure that correct and factual information is available to residents that helps to answer questions and concerns about the planned facility.

From Mr Richard Carter

Councillor Mike Fisher

Leader of the Council

Question No.

PQ 045–13

How are you 'Proud to Serve', when the budget book of 26 February 2013 was missing from <http://www.croydon.gov.uk/democracy/budgets/budget-book> until 11 June?

Why then, do you make it still harder for residents to search this belated .pdf document electronically, as it appears to be an image and not the text original?

Reply

Thank you for your question.

The budget book was originally available on the Council's website, as part of the 26 February Cabinet papers, shortly after midnight on 17 February 2013. As you have indicated, a second copy of the book was published later on the dedicated finance pages.

You are absolutely correct that the book is published as an image based PDF document. This is because the budget book is drawn from a number of data files, spread sheets and work books and it is the most cost effective way of getting the information onto the website quickly. However, I have asked officers to address your point and am pleased to say that a searchable version is now available on the website and can be found at:

<http://www.croydon.gov.uk/contents/departments/democracy/pdf/1035997/budget-book-2013-14>.

From Mr Dominic O'Donnell

Councillor Tim Pollard

Deputy Leader (Communication) and Cabinet member for Children, Families and Learning.

Question No.

PQ 046-13

Proposed Sale of Riesco Collection.

A recent Council press release stated that escalating insurance and security costs meant that the full (Riesco) collection was becoming too expensive to maintain. Will Councillor Pollard give a breakdown of the escalating insurance and security costs for 2010-2011, 2011-12 and 2012-13?

Reply

The costs referred to in the recent press release relate to an insurance and security review of the Riesco collection which was conducted in the summer of 2012. As a result of the review the council's insurers put conditions on the insurance of the collections.

Their conditions would require enhanced levels of security at an estimated cost of £60,000, itemised below;

Insurance requirement	Cost £
Improvements to CCTV	10,000
Intruder alarm improvements	20,000
Cabinet security enhancements	10,000
Shutters	8,000
Cost of associated works	12,000
Total	60,000

In addition there would be an annual insurance premium of £20,000.

There is no comparable information for 2010-11 or 2011-12.

From Ms Joy Prince

Councillor Tim Pollard

Deputy Leader (Communication) and Cabinet member for Children, Families and Learning.

Question No.

PQ 047–13

The Communities and Local Government Secretary Eric Pickles has published new guidance explicitly stating that Councils should allow the public to record and to film council meetings.

Can this meeting be filmed or audio recorded by members of the public?

Reply

I thank Ms Prince for her question.

Currently the Council's Constitution provides that *"Council Members, officers and members of the public are reminded that the use of mobile electronic devices during the meeting is permitted for the use of wifi services only. Cellular data services must be turned off as they interfere with existing amplification equipment used by the Council, and only wifi services should be enabled. You are asked to leave the meeting should you wish to make or receive a telephone call or send or receive cellular data. The unauthorised recording of meetings using any type of audio or visual equipment is strictly prohibited."*

Whilst the Council does review and update the Constitution in line with legislative changes and will continue to do so, the document published by the Department of Communities and Local Government (DCLG) on 14 June 2013 is a guide rather than statutory guidance which the Secretary of State is empowered to issue under various statutory regimes and expressly provides that the Guide should not be taken as providing any definitive interpretation of the statutory requirements on Councils. The Guide makes reference to "new" rules, namely the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 which were enacted last year and have been in force since September 2012. These 2012 regulations provide expressly as follows in regulation 20(4):

" Nothing in these regulations requires a decision making body to permit the taking of any photographs of any proceedings or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place"

Regulation 20(4) is not a departure from previous requirements – it is almost identical

to the provision contained within the previous version of the regulations which governed this area of law, namely the Local Authorities (Executive Arrangements) (Access to information) (England) Regulations 2000 which provided in regulation 21(6) that:

“(6) Nothing in these Regulations shall require a decision making body or decision maker to permit the taking of any photographs of any proceedings, or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place.”

The Council has reached agreement with Croydon Radio to enable full Council proceedings to be audio recorded to enable members of the public to listen to proceedings subsequently, however, the meeting may not be audio recorded or filmed by the members of the public at this time.

From Mr Paul Sowan

Councillor Tim Pollard

Deputy Leader (Communication) and Cabinet member for Children, Families and Learning.

Question No.

PQ 048–13

Was the Trust Deed for a proposed Riesco Trust, detailed in Croydon Council minutes (May 1992) , 9) submitted as intended to the Charity Commission; (b) accepted or rejected by the Charity Commission; and (c) implemented (whether in an amended form or not), and why or why not in each case?

Reply

It is understood that the Resources, Finance & Policy Committee at their meeting held on 24th June 1992 agreed to establish a charitable trust with the aims of making grants of money in order to make provision for: the maintenance or improvement of the Riesco Collection and the maintenance, alteration or improvement of the public exhibition space for the time being used or to be used for the Riesco Collection or for any such other exhibits.

Subsequently it was agreed by Council (6 July 1992) that the draft Trustee Deed should be submitted to the Charity Commission for formal approval. However this charitable trust was never established, for reasons which are not known.