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DATE: 2 April 2013

To: Members of the

GENERAL PURPOSES AND LICENSING COMMITTEE

Councillor Tony Owen (Chairman)

Councillor Russell Mellor (Vice-Chairman)

Councillors Nicholas Bennett J.P., John Canvin, Roger Charsley,

Roxhannah Fawthrop, John Getgood, Julian Grainger, Will Harmer, Gordon Norrie,
Ian F. Payne, Charles Rideout, Diane Smith, Tim Stevens and Pauline Tunnicliffe

A meeting of the General Purposes and Licensing Committee will be held at Bromley Civic Centre on **WEDNESDAY 10 APRIL 2013 AT 7.00 PM**

MARK BOWEN
Director of Resources

Copies of the documents referred to below can be obtained from
www.bromley.gov.uk/meetings

A G E N D A

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 DECLARATIONS OF INTEREST

3 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

In accordance with the Council's Constitution, questions to this Committee must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on Thursday 4th April 2013.

4 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 14TH FEBRUARY 2013

(Pages 3 - 10)

5 REVIEW OF LICENSED STREET TRADING

(Pages 11 - 32)

6 COMMUNICATIONS POLICY

(Pages 33 - 46)

7 APPOINTMENTS TO OUTSIDE BODIES

(Pages 47 - 50)

8 MINOR CHANGES TO THE CONSTITUTION

(Recommendations from the Constitution Improvement Working Group to follow.)

9 LOCAL JOINT CONSULTATIVE COMMITTEE: MINUTES OF THE MEETING HELD ON 28TH FEBRUARY 2013

(Pages 51 - 54)

10 PENSIONS INVESTMENT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 12TH FEBRUARY 2013, EXCLUDING EXEMPT INFORMATION

(Pages 55 - 60)

11 AUDIT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 13TH MARCH 2013, EXCLUDING EXEMPT INFORMATION

(Pages 61 - 66)

12 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

Items of Business

Schedule 12A Description

13 PENSIONS INVESTMENT SUB-COMMITTEE: EXEMPT MINUTES - 12TH FEBRUARY 2013

(Pages 67 - 68)

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

14 AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 13TH MARCH 2013

(Pages 69 - 70)

Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00 pm on 14 February 2013

Present:

Councillor Tony Owen (Chairman)
Councillor Russell Mellor (Vice-Chairman)
Councillors Nicholas Bennett J.P., John Canvin,
Roger Charsley, Peter Fookes, Julian Grainger,
Will Harmer, Gordon Norrie, Charles Rideout,
Diane Smith, Tim Stevens and Pauline Tunnicliffe

Also Present:

Councillor Simon Fawthrop

57 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Roxy Fawthrop, John Getgood and Ian Payne. Councillor Peter Fookes replaced Councillor John Getgood.

58 DECLARATIONS OF INTEREST

The following Councillors declared an interest as members of the Local Government Pension Scheme in relation to minute 63, Workplace Pensions – Automatic Enrolment:- Councillors Nicholas Bennett, Simon Fawthrop, Julian Grainger, Russell Mellor, Gordon Norrie, Tony Owen, Diane Smith and Tim Stevens.

59 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 23RD OCTOBER AND THE SPECIAL MEETING HELD ON 21ST NOVEMBER 2012

RESOLVED that the minutes of the meetings held on 23rd October and 21st November 2012 be confirmed.

60 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

61 STATION SQUARE, PETTS WOOD Report RES13040

The Council had received complaints that what were claimed as established rights of way over forecourts at Station Square, Petts Wood were being

obstructed. A petition had also been received from the Petts Wood and District Residents' Association seeking the confirmation of a right of way for the whole of Station Square, Petts Wood, including shop forecourts, which it was claimed, had existed continuously for 20 years without let or hindrance.

Councillor Simon Fawthrop attended the meeting as a ward Councillor for Petts Wood and Knoll – he commented that the issue was not solely about tables and chairs on the highway, but involved a range of other hindrances. He also stated that several signatories to the petition had been excluded under the Council's petition scheme as they did not live or work in the borough – he felt that this should be considered by the Constitution Improvement Working Group. Some of the residents who signed the petition had claimed that they had exercised highway rights over the forecourts for over seventy years.

Members had been seeking a meeting of the Rights of Way Sub-Committee to deal with this issue, and sought advice from officers on that Sub-Committee's role. Officers explained that the Sub-Committee had been set up specifically in response to a need for a quasi-judicial body to consider issues relating to footpath orders under the Wildlife and Countryside Act. Councillor Nicholas Bennett informed the Committee that at its forthcoming meeting on 26th February the Constitution Improvement Working Group would be looking at the issue of requisitioning meetings and the division of responsibilities between GP&L, Portfolio Holder Executive powers and the precise role of the Rights of Way Sub-Committee.

Councillor Julian Grainger raised concerns about authorising officers to take action before all the evidence was in place, and pointed out that the Environment Portfolio Plan contained policy objectives regarding facilitating a café culture that might conflict with the aim of protecting highway rights. Officers were investigating ownership of the forecourts in Station Square, but confirmed that the issue of ownership was separate to that of highway rights.

RESOLVED that the Committee -

(1) Notes that a report will be presented by the Environment Portfolio Holder to a future meeting of the Environment PDS Committee for pre-decision scrutiny concerning options in respect of privately owned forecourts over which it is claimed highway rights have arisen.

(2) Notes that the Portfolio Holder will be responding to the petition under the Council's petition scheme.

(3) Subject to the outcome of the meeting referred to in (2), authorises the Director of Resources if necessary and subject to the evidence to take any necessary action under section 130 and/or 149 of the Highways Act 1980 in respect of the complaints made in respect of Station Square Petts Wood.

(4) Agrees that further reports will be presented to the General Purposes and Licensing Committee as required.

62 PAY POLICY STATEMENT 2013/14
Report HHR13001

Under the Localism Act 2011 the Council was required to publish a Pay Policy Statement each year. The statement was a summary of the existing policies that would be applied throughout the year.

Councillor Peter Fookes asked for an update on progress with the implementation of localised pay and conditions of employment. It was confirmed that employees (who numbered in the region of 3,500) had until 31st March to accept the new terms of employment and had to accept before 11th March to receive the £200 one-off payment. Currently, 969 had said yes and 363 had said no.

RESOLVED that Council be recommended to approve the 2013/14 Pay Policy Statement as attached to the report at Appendix A.

63 WORKPLACE PENSIONS - AUTOMATIC ENROLMENT
Report RES13041

Under reforms originally introduced in the Pensions Act 2008, every employer would be required to automatically enrol their eligible jobholders into a pension scheme and to pay contributions to that scheme in respect of that worker with effect from a “staging date.” Automatic enrolment was being phased in between 1st October 2012 for the largest employers, extending to 2017 for small employers. The Council’s ‘staging date’ for its own workers, including teachers, was 1st March 2013.

The report considered how this requirement sat with the Council’s current pension arrangements, including the impact on those employees who had previously decided to opt out of the Local Government Pension Scheme (LGPS) or the Teachers Pension Scheme (TPS). The Council was not able to offer any third alternative to its employees beyond either taking part in the relevant scheme or not taking part. However, the new Regulations coming into force in 2014 would allow employees the option of making 50% contributions for 50% benefits. It was confirmed that Councillors were not deemed to be employees for the purposes of the Act.

RESOLVED that

(1) The transitional period be used to defer automatic enrolment for eligible jobholders who, on 1st March 2013, are not members of either the LGPS or the TPS on the basis that they have previously opted out and have the right to join the relevant scheme at any time whilst they continue in employment (as in paragraphs 3.14 to 3.16 in the report).

(2) Council be recommended to agree that authority be delegated to the Assistant Chief Executive (HR) and the Finance Director to:

- (i) use postponement for workers on short-term contracts and in circumstances where it aids administrative processes;**
- (ii) take all necessary action to ensure that the Council's responsibilities under the requirements of automatic enrolment are met.**

64 MEMBERS' ALLOWANCES SCHEME 2013/14
Report RES13010

The regulations governing Members' allowances required that, before the beginning of each financial year, the Council should make a scheme of allowances for that year. The report detailed the proposed allowances for 2013/14, recommending that the current allowances remain frozen. The report also provided an update on the Government's announcement that it intended, subject to statutory consultation, to withdraw the right of Councils to allow Councillors to participate in the Local Government Pension Scheme from April 2014.

RESOLVED that

(1) Council be recommended to agree the proposed Members' Allowances Scheme 2013/14, including the recommendations to -

- (i) freeze the current allowances in the light of the current economic circumstances;**
- (ii) amend the scheme to replace the reference in paragraph 16 to the PE Inbucon scheme with reference to the Council's arrangements for localised pay;**
- (iii) agree the Mayoral and Deputy Mayoral allowance at the same rate as last year.**

(2) The Government's proposal, subject to statutory consultation, to withdraw the right of Councils to allow their Councillors to contribute to the Local Government Pension Scheme from April 2014 be noted.

65 EXECUTIVE ASSISTANTS: ANNUAL REPORT 2012/13
Report RES 13024

To support its consideration of the Members' Allowances Scheme, the Committee received annual reports from the Executive Assistants appointed by the Leader of the Council for 2012/13. The four Executive Assistants were –

- Cllr Peter Fortune (Executive Assistant, Environment)
- Cllr Richard Scoates (Executive Assistant to the Leader)

- Cllr Diane Smith (Executive Assistant, Care Services)
- Cllr Pauline Tunnicliffe (Executive Assistant, Education)

RESOLVED that the reports from the Executive Assistants be noted.

66 PROGRAMME OF MEETINGS 2013/14
Report RES 13008

The Committee considered the draft Programme of meetings for the 2013/14 Council year. The Programme was based on the 2012/13 timetable, with the addition of an additional Council meeting in September 2013, and had been subject to extensive consultation. Members noted that some of the school term dates needed minor correction.

RESOLVED that

(1) The Programme of meetings for 2013/14 be approved.

(2) Should the date of the 2014 local elections be changed the alternative arrangements for May 2014 as set out in paragraph 3.4 in the report be approved.

67 APPOINTMENTS TO OUTSIDE BODIES
Report RES13009

The Committee considered a number of appointments to outside bodies.

RESOLVED that

(1) Councillor William Huntington-Thresher be appointed to the Orpington BID Board for the remainder of the Council year (subject to the outcome of the ballot currently taking place.)

(2) Mr AJ Duncan, Mrs G Scales and Mr MJ Winsor be re-appointed to as nominated trustees of the Beckenham Parochial Charities for the four year term of office from 24th January 2013.

(3) That the views of the Care Services Portfolio Holder and Director of Education and Care Services be sought on the role of the Council's representative on the Oxleas Trust Council of Governors.

(4) That Councillor Julian Grainger be appointed to serve as the Council's representative on the Diocese of Rochester Board of Education for the remainder of the three year period expiring on 31st December 2014.

68 LOCAL JOINT CONSULTATIVE COMMITTEE: MINUTES OF THE MEETING HELD ON 5TH SEPTEMBER 2012

The Committee received the minutes of the Local Joint Consultative Committee meeting held on 5th September 2012.

69 PENSIONS INVESTMENT SUB-COMMITTEE: MINUTES OF THE MEETINGS HELD ON (A) 19TH SEPTEMBER 2012 AND (B) 15TH NOVEMBER 2012 (EXCLUDING EXEMPT INFORMATION)

The Committee received the minutes of the Pensions Investment Sub-Committee meetings held on 19th September and 15th November 2012 (excluding exempt information.)

Councillor Julian Grainger informed the Committee that, at the recent Pensions Investment Sub Committee, Members had been informed that the market value of the Fund had increased compared to the same period last year. However, primarily due to the impact of low gilt yields actuarial revaluations of twenty other local government schemes had resulted in an increase in their deficits. As the Bromley scheme was about to have its triennial revaluation it seemed likely that there would be a similar increase in the deficit despite the cash value increasing. Although there were other factors that would influence the final valuation, an increase in the fund's deficit could lead to a higher rate of return being required, or a longer recovery period.

70 INDUSTRIAL RELATIONS SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 25TH OCTOBER 2012 (EXCLUDING EXEMPT INFORMATION)

The Committee received the minutes of the Industrial Relations Sub-Committee meeting held on 25th October 2012 (excluding exempt information.)

71 AUDIT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 14TH NOVEMBER 2012 (EXCLUDING EXEMPT INFORMATION)

The Committee received the minutes of the Audit Sub-Committee meeting held on 14th November 2012 (excluding exempt information.)

Councillor Peter Fookes requested a further explanation from officers of the statement on page 3 of the minutes that new requirements on academies meant that the responsible officer could only be a non-paying Governor of the Trust.

72 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED that the Press and public be excluded during consideration of the item of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries
refer to matters
involving exempt information**

73 PENSIONS INVESTMENT SUB-COMMITTEE: EXEMPT MINUTES (A) 19TH SEPTEMBER 2012 & (B) 15TH NOVEMBER 2012

The Committee received the exempt minutes of the meetings of the Pensions Investment Sub-Committee held on 19th September and 15th November 2012.

74 INDUSTRIAL RELATIONS SUB-COMMITTEE: EXEMPT MINUTES - 25TH OCTOBER 2012

The Committee received the exempt minutes of the meeting of the Industrial Relations Sub-Committee held on 25th October 2012.

75 AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 14TH NOVEMBER 2012

The Committee received the exempt minutes of the meeting of the Audit Sub-Committee held on 14th November 2012.

The Meeting ended at 7.21 pm

Chairman

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Agenda Item 5

Report No.
ES13026

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: 10 April 2013

Decision Type: Non-Urgent Non-Executive Non-Key

Title: REVIEW OF LICENSED STREET TRADING

Contact Officer: Peter Turvey, Head of Street Regulation
Tel: 020 8313 4901 E-mail: Peter.Turvey@bromley.gov.uk

Chief Officer: Nigel Davies, Executive Director of Environment and Community Services

Ward: (All Wards);

1. Reason for report

This report reviews the scale of fees and amendments to locations and goods in respect of the existing licensed street trading scheme, (the "scheme")

2. **RECOMMENDATION(S)**

2.1 To approve, in principle, the following:

- a) Amendments to locations and goods where street trading be permitted, as set out in Appendix "A", to take effect from 1st October 2013, subject to formal consultation being undertaken and a further report being submitted thereafter.
- b) Note the fees payable for street trading applications and licences, as set out in Appendix "B".

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Quality Environment Vibrant, Thriving Town Centres:
-

Financial

1. Cost of proposal: Estimated Cost: Increase in income in line with inflation (£2,546)
 2. Ongoing costs: Recurring cost: Increase in income of £2,546 per annum
 3. Budget head/performance centre: Highways (Streetscene and Greenspace Division)
 4. Total current budget for this head: £2.4m
 5. Source of funding: Existing revenue budget for 2013/14
-

Staff

1. Number of staff (current and additional): 1.5 FTE
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Not Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All residents and visitors
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 For the purpose of controlling street trading in the borough, the Council implemented the London Local Authorities Act 1990. The scheme started in 1991 with eight individual licensed street traders and this has increased to 16 individual pitches with permanent licences and 41 individual pitches with temporary licences. The scheme has also successfully controlled illegal street trading activities, not only by itinerant traders, but also the advertising of vehicles for sale on the street for commercial purposes. For the various street markets that take place around the borough on a regular and ad hoc basis, the scheme has been successful in controlling these activities to align with current legislation. However, for the purposes of this report, licence fees and other matters related specifically for street markets will be the subject of a separate future report.
- 3.2 The scheme was last reviewed in October 2007 when it was approved to use the legislation to enable certain businesses to utilise the public footway, where there was sufficient space, for the purposes of placing their tables and chairs outside and for external shop displays. This has proved successful for appropriate businesses to use the public footway in a legal and controlled way. It was also approved to licence street trading activities on open privately maintained areas of land adjacent to the street, such as private forecourts, to street traders not in association with the business of the landowner. At the meeting of the Environment PDS Committee on 5 March 2013 (Report No.RES13057), the Environment Portfolio Holder approved for temporary items, such as, tables and chairs, placed on open private forecourt areas that had established rights of way across them, to be licensed under this scheme. This arrangement started on 1 April 2013 and will continue on a case by case basis.
- 3.3 From December 2007 fixed penalty notices were introduced in respect of street trading offences. To date a total of 56 fixed penalty notices have been issued, the majority of which have been for vehicles being advertised for sale on the street, a practice where a street trading licence would not be considered. The use of fixed penalty notices has proved to be a quick and efficient method for taking enforcement action.
- 3.4 There are four categories of licences for street trading activities, as follows;
- a) Full licence – valid for a three-year period, granted to established traders where their goods/services have been designated and where the pitch has been designated as a “licensed street”.
 - b) Temporary licence – valid for any period up to six months, granted to new and seasonal traders that can be renewed to appropriate traders.
 - c) One-day temporary licence – valid for one day only, granted mainly to traders for special events.
 - d) Temporary charity licence – valid for any period from one day up to six months, granted only to registered charities wishing to sell goods in connection with their fundraising activities. These are issued free of charge.
- 3.5 All established street traders, where their trading is continuous throughout the year, should be granted full licences. It is proposed to designate the goods/services and pitches to “licensed streets” to 23 of the existing street traders currently on temporary licences to enable the granting of full licences. It is also proposed to de-designate Pitch 24 where the street trader has moved away, no further street trading has taken place and the site is no longer considered suitable for street trading purposes. Appendix “A” describes the proposed changes at individual pitches.

3.6 The scale of fees for street trading is intended to recover the cost of administering the scheme and for enforcement against illegal street trading. Annual fees for full licences are paid six months in advance, half payable in March and the balance in September. Fees for temporary licences are paid in advance for the full amount. The level of the fee is based on the number of days trading in a week. There is an enhanced rate of fee for those pitches within the pedestrian area of Bromley town centre to account for the additional enforcement and monitoring requirements. For licences granted for tables and chairs, external shop displays and trading from private land, the fees are reduced by 25% as these businesses are already subject to business rates. The processing of a new application for a temporary street trading licence, can be time consuming involving site visits, meetings and other enquiries being made, it is therefore proposed to introduce an application fee to the scale of fees. For successful applicants the application fee would be deducted from the first licence fee invoice. The application fee will not apply for licence renewals, one-day temporary licences or for the temporary charity licence. The licence fees for full and temporary licences are to increase by the rate of inflation on an annual basis from the 1st April of each year.

4. POLICY IMPLICATIONS

4.1 The control of licensed street traders and enforcement action being taken against illegal traders has meant safer roads and pavements for the travelling public. The scheme has also enabled local businesses, mainly restaurants and cafes, to provide al fresco facilities, which has helped towards vibrant thriving town centres for Building a Better Bromley.

4.2 The street trading licensing scheme continues to be self-financing from the fees collected.

5. FINANCIAL IMPLICATIONS

5.1 The legislation allows the Council to recover sufficient fees to cover administration and enforcement costs. To enable full recovery of costs incurred, an application fee for new street trading applicants has been introduced and for the licence fees to increase by the rate of inflation on an annual basis and implemented from the 1st April of each year. The licence fees for the financial years 2012 / 2013 and 2013 / 2014 are as indicated in Appendix "B".

5.2 The present income from street trading licence fees for regular street traders, not including those from town centre markets or one-day temporary street trading licences, is £107,412. With the rate of inflation increase and assuming the same number of traders, the income in 2013/2014 is expected to be £109,958. An analysis of street traders' licence fee income is shown in Appendix "C".

6. LEGAL IMPLICATIONS

6.1 When it is proposed to designate or de-designate a pitch, change the goods to be sold or alter the scale of fees and charges, notice of the proposal must be given and a period of consultation undertaken. If the present proposal is approved, it is intended that at least 28 days will be allowed for such consultation and thereafter a further report will be submitted giving details of the comments and objections received and seeking the Portfolio Holder's approval (with or without modification) to the proposed changes.

6.2 In considering the level of fees charged to traders the Council may set them at such rates that in the aggregate taking one year with another they are sufficient to cover the reasonable costs, not otherwise, recovered of:

- a) the collection, removal and disposal of refuse or other services given to the licence holders;
- b) street cleaning so far as this is attributable to the trading;

c) reasonable administrative or other costs incurred in administering and enforcing the scheme;

6.3 At the present time the traders themselves are responsible for the disposal of any refuse at their stalls. There is no additional street cleaning. If the changes are approved, this will constitute a resolution pursuant to Section 24 of the London Local Authorities Act 1990 and the Council must publish details for two consecutive weeks in the local press at least 28 days before the resolution is due to come into force.

7. PERSONNEL IMPLICATIONS

7.1 There has been an increase in the number of street trading activities taking place. These additional commitments are currently being met through existing resources.

Non-Applicable Sections:	None
Background Documents: (Access via Contact Officer)	Pitch Designations and Licence Fees for Street Trading, dated 26 June 2007. Report number ELS07093. Proposal to Introduce Fixed Penalty Notices in Respect of Street Trading, dated 02 October 2007. Report number ELS 07133 Enforcement Policy Concerning Shop Forecourts under the Highways Act 1980. Report number RES13057.

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SCHEDULE OF AMENDMENTS PROPOSED TO “RESOLUTIONS” FOR STREET TRADERS

Pitch No.	Location	Goods	Licence	Proposed Amendments to “Resolutions”	Comments
1	Private forecourt outside 122 High Street, Bromley (adjacent British Home Stores)	Fruit, vegetables, flowers and Christmas goods	Full	None	None
2	Public footway outside 33/34 Market Square, Bromley (Costa Coffee)	Tables & Chairs	Full	None	None
3	Public footway between 154/156 High Street, Bromley (adjacent Next)	Fruit, vegetables, flowers, plants and Christmas goods	Full	None	None
4*	Public footway outside High Street, Bromley (entrance to The Glades)	Fruit, vegetables, flowers and Christmas goods	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
5	NOT USED	N/A	N/A	N/A	N/A
6	Public footway outside 146 High Street, Bromley (outside Bride & Groom)	Ice cream and hot dogs	Full	None	None
7	NOT USED	N/A	N/A	N/A	N/A
8	Public footway between 171/173 High Street, Orpington	Fruit and vegetables	Full	None	None
9	Public footway outside 20/22 Market Square, Bromley	Fruit, vegetables, flowers and Christmas goods	Full	None	None

* Indicates pitch numbers where changes are proposed

SCHEDULE OF AMENDMENTS PROPOSED TO “RESOLUTIONS” FOR STREET TRADERS

Pitch No.	Location	Goods	Licence	Proposed Amendments to “Resolutions”	Comments
10	NOT USED	N/A	N/A	N/A	N/A
11	Public footway outside 124 High Street, Bromley (British Home Stores)	Ice cream and nuts	Temporary	None	None
12	Public footway outside 132/138 High Street, Bromley (W.H.Smith)	Balloons	Full	None	None
13-17	NOT USED	N/A	N/A	N/A	N/A
18	Public footway outside 82 High Street, Beckenham (Big Breakfast)	Tables and Chairs	Temporary	None	None
19	Public footway adjacent 241 High Street, Orpington	Fruit, vegetables and flowers	Full	None	None
20	Highway verge adjacent Rose & Crown public house, Farnborough Way, Green Street Green	Flowers	Full	None	None
21 & 22	NOT USED	N/A	N/A	N/A	N/A
23	Public footway outside 162 High Street, Bromley (Primark)	Hot sausages and baked potatoes	Full	None	None

* Indicates pitch numbers where changes are proposed

SCHEDULE OF AMENDMENTS PROPOSED TO “RESOLUTIONS” FOR STREET TRADERS

Pitch No.	Location	Goods	Licence	Proposed Amendments to “Resolutions”	Comments
24*	Public footway in Station Road, West Wickham (rear of The Swan PH)	Fresh fish	None	Designation of “goods” and “licensed street” to be cancelled	No longer used
25	NOT USED	N/A	N/A	N/A	N/A
26	Public footway outside 25 Market Square, Bromley (Starbucks Coffee)	Tables and Chairs	Full	None	None
27-31	NOT USED	N/A	N/A	N/A	N/A
32	Public footway outside 196/198 High Street, Bromley (TPs PH)	Tables and Chairs	Full	None	None
33 & 34	NOT USED	N/A	N/A	N/A	N/A
35	Public footway outside 2/4 Ringers Road, Bromley (Henry's)	Tables and Chairs	Full	None	None
36-38	NOT USED	N/A	N/A	N/A	N/A
39*	Public footway outside 150/154 High Street, Beckenham (Slug & Lettuce)	Tables and Chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence

* Indicates pitch numbers where changes are proposed

SCHEDULE OF AMENDMENTS PROPOSED TO “RESOLUTIONS” FOR STREET TRADERS

Pitch No.	Location	Goods	Licence	Proposed Amendments to “Resolutions”	Comments
40	NOT USED	N/A	N/A	N/A	N/A
41	Public footway outside 86 High Street, Bromley (Pret a Manger)	Tables and Chairs	Full	None	None
42	Public carriageway outside 180 Maple Road, Penge	Flowers, plants, bulbs	Full	None	None
43 to 45	NOT USED	N/A	N/A	N/A	N/A
46	Public footpath No. 114 outside unit 242, The Glades (Abbaye)	Tables and Chairs	Full	None	None
47 to 49	NOT USED	N/A	N/A	N/A	N/A
50	Public footway, Arpley Square, Penge	Fruit and vegetables	Temporary	None	None
51	Public footway, 197/199 High Street, Penge (Penge Food Centre)	Fruit and vegetables	Temporary	None	None
52*	NOT USED	N/A	N/A	N/A	N/A

* Indicates pitch numbers where changes are proposed

SCHEDULE OF AMENDMENTS PROPOSED TO “RESOLUTIONS” FOR STREET TRADERS

Pitch No.	Location	Goods	Licence	Proposed Amendments to “Resolutions”	Comments
53*	Public footway, 115/117 High Street, Beckenham (Maria’s)	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
54*	Network Rail forecourt, High Street, Bromley, (Bromley South station)	Fruit, vegetables and flowers	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
55 to 58	NOT USED	N/A	N/A	N/A	N/A
59*	Public footway, 161 High Street, Bromley (Brodiess)	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
60*	Private forecourt, Elmers end Road, Beckenham (Beckenham Crematorium)	Flowers and potted plants	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
61*	Public footway, Wickham Road, West Wickham, (Travers Perkins yard)	Flowers and potted plants	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
62	Public footway, Arpley Square, Penge	Flowers and potted plants	Temporary	None	None
63 to 71	NOT USED	N/A	N/A	N/A	N/A
72*	Public footway, Church Road, s/o 97 High Street, Orpington (Pizza Express)	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence

* Indicates pitch numbers where changes are proposed

SCHEDULE OF AMENDMENTS PROPOSED TO “RESOLUTIONS” FOR STREET TRADERS

Pitch No.	Location	Goods	Licence	Proposed Amendments to “Resolutions”	Comments
73*	Public footway, 112 High Street, Bromley (Gregg’s)	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
74 to 76	NOT USED	N/A	N/A	N/A	N/A
77	Public footway, Market Square, Bromley.	Children rides and seasonal goods	Temporary	None	None
78*	Private forecourt, Cray Avenue, St Mary Cray, (Cray Avenue Business Centre)	Hot and cold food takeaway	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
79	NOT USED	N/A	N/A	N/A	N/A
80	Public footway, 125 Westmoreland Road, Bromley (Eliano’s)	Tables and chairs	Temporary	None	None
81 to 83	NOT USED	N/A	N/A	N/A	N/A
84*	Public footway, Rectory Road, Beckenham, (Beckenham Junction)	Flowers and fruit	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
85	NOT USED	N/A	N/A	N/A	N/A

* Indicates pitch numbers where changes are proposed

SCHEDULE OF AMENDMENTS PROPOSED TO “RESOLUTIONS” FOR STREET TRADERS

Pitch No.	Location	Goods	Licence	Proposed Amendments to “Resolutions”	Comments
86	Public footway, High Street, Orpington, o/s WH Smith	Charity Books	Charity	None	None
87 to 91	NOT USED	N/A	N/A	N/A	N/A
92*	Public footway, 111 High Street, Chislehurst,	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
93	NOT USED	N/A	N/A	N/A	N/A
94*	Public footway, 164 High Street, Beckenham (Café Nero)	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
95*	Public footway, 190 High Street, Orpington (Panacea)	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
96*	Public footway, 196 High Street, Orpington (Costa Coffee)	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
97*	Public footway, 166 High Street, Beckenham (High Street Café)	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
98	Public footway, 190 Maple Road, Penge, (Penge Halal Meat)	Fruit and vegetables	Temporary	None	None

APPENDIX “A”

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* Indicates pitch numbers where changes are proposed

SCHEDULE OF AMENDMENTS PROPOSED TO “RESOLUTIONS” FOR STREET TRADERS

Pitch No.	Location	Goods	Licence	Proposed Amendments to “Resolutions”	Comments
99 to 101	NOT USED	N/A	N/A	N/A	N/A
102	Private car park, White Horse Hill, Chislehurst (The Lounge Bar)	Fish and shellfish	Temporary	None	None
103 to 106	NOT USED	N/A	N/A	N/A	N/A
107*	Public footway, 320 High Street, Orpington (Primo Café)	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
108	NOT USED	N/A	N/A	N/A	N/A
109*	Public footway, 194 High Street, Bromley (Partridge PH)	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
110	NOT USED	N/A	N/A	N/A	N/A
111	Private forecourt, 142 High Street, Penge	Fruit and vegetables	Temporary	None	None
112*	Public footway, 141 -143, High Street, Orpington, (Harvest Moon)	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence

APPENDIX “A”

* Indicates pitch numbers where changes are proposed

SCHEDULE OF AMENDMENTS PROPOSED TO “RESOLUTIONS” FOR STREET TRADERS

Pitch No.	Location	Goods	Licence	Proposed Amendments to “Resolutions”	Comments
113	Public footway, o/s WH Smiths, High Street, Orpington	Hats, gloves and underwear	Temporary	None	None
114	Private forecourt, o/s Bairstow Eves, High Street, West Wickham	Fruit and vegetables	Temporary	None	None
115	NOT USED	N/A	N/A	N/A	N/A
116	Public footway, Maple Road, Penge	Garden sundries and plants	Temporary	None	None
117 to 119	NOT USED	N/A	N/A	N/A	N/A
120*	Public footway, 254 High Street, Orpington (Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
121	Public footway, 206 High Street, Beckenham (Love a Slice)	Tables and chairs	Temporary	None	None
122	Public footway, 87 – 89 High Street, Beckenham (Dos Amigos)	Tables and chairs	Temporary	None	None
123	NOT USED	N/A	N/A	N/A	N/A

APPENDIX “A”

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* Indicates pitch numbers where changes are proposed

SCHEDULE OF AMENDMENTS PROPOSED TO “RESOLUTIONS” FOR STREET TRADERS

Pitch No.	Location	Goods	Licence	Proposed Amendments to “Resolutions”	Comments
124*	Public footway, Bromley Road, Beckenham (Ask)	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
125*	Public footway, 31 High Street, Bromley (Star Bucks)	Tables and chairs	Temporary	Designation of “goods” and pitch to “licensed street”	To allow granting of full licence
126	Public footway, 110 Anerley Road, Anerley (Anerley Food Centre)	Fruit and vegetables	Temporary	None	None
127	Public footway, High Street, Orpington	Business promotion	Temporary	None	None
128	Public footway, 49-51, High Street, Chislehurst	Italian food	Temporary	None	None
129	Public footway, 123, Westmoreland Road, Bromley	Flowers and plants	Temporary	None	None

APPENDIX “A”

* Indicates pitch numbers where changes are proposed

PROPOSED FEES FOR INDIVIDUAL STREET TRADING PITCHES

	Existing fees	Fees from 1 st April 2013	Comments
FULL LICENCE For Bromley Pedestrian Area	£3600* Per annum	£3690* Per annum	Fee based on trading 7 days a week. Fees for fewer trading days set on a pro-rata basis.
FULL LICENCE For all other locations	£2468* Per annum	£2530* Per annum	
FIRST APPLICATION For 6-month temporary licence	Free	£50	Fee for consideration of application. This to be included as part of first licence fee for successful applicant.
TEMPORARY LICENCE For Bromley Pedestrian Area	£1800* Per 6 months	£1845* Per 6 months	Fee based on trading 7 days a week. Fees for fewer trading days set on a pro-rata basis.
TEMPORARY LICENCE For all other locations	£1234* Per 6 months	£1265* Per 6 months	
ONE DAY TEMPORARY LICENCE For all locations	£30 Per day	£31 Per day	None
TEMPORARY CHARITY LICENCE For Registered Charities only	Free	Free	None
VARIATION OF FULL LICENCE	£80	£82	None

* Licence fee reduced by 25% for the following:- tables & chairs, shop displays and trading from private land.

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**ANALYSIS OF STREET TRADERS' LICENCE FEE INCOME
 (BROMLEY PEDESTRIAN AREA ONLY)**

No of trading days per week	No of Traders	Existing annual income for 2012/2013		Expected annual income for 2013/2014	
		Fee	Income	Fee	Income
7	9	5 x £3600 4 x £2700*	£28800	5 x £3690 4 x £2767*	£29518
6	3	1 x £3086 2 x £2314*	£7714	1 x £3164 2 x £2372*	£7908
4	1	£2058	£2058	£2110	£2110
3	1	£1542	£1542	£1581	£1581
2	1	£1028	£1028	£1054	£1054
Sub-totals c/f	15	£41142		£42171	

NOTES:

- a) The totals are based on the number of traders and trading days remaining constant.
- b) Income from One Day Temporary Licences has not been included.
- c) * denotes the reduced licence fees for tables & chairs, shop displays and trading from private land.

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**ANALYSIS OF STREET TRADERS' LICENCE FEE INCOME
 (ALL OTHER LOCATIONS AND SUMMARY)**

No of trading days per week	No of Traders	Existing annual income for 2012/2013		Expected annual income for 2013/2014	
		Fee	Income	Fee	Income
7	17	3 x £2468		3 x £2530	
		14 x £1852*	£33332	14 x £1899*	£34176
6	9	3 x £2166	£16014	3 x £2168	£16260
		6 x £1586*		6 x £1626*	
5	3	3 x £1762	£5286	3 x £1806	£5418
4	3	1 x £1410	£3526	1 x £1446	£3614
		2 x £1058*		2 x £1084*	
3	4	4 x £1058		4 x £1085	
			£4232		£4340
2	4	4 x £706	£2824	4 x £724	£2896
1	3	3 x £352	£1056	3 x £361	£1083
Sub-total	43		£66270		£67787
b/f sub-total for Bromley pedestrian area	15		£41142		£42171
Totals	58		£107412		£109958

NOTES:

- a) The totals are based on the number of traders and trading days remaining constant.
- b) Income from One Day Temporary Licences has not been included.
- c) * denotes the reduced licence fees for tables & chairs, shop displays and trading from private land.

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Report No.
RES13076

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: 10th April 2013

Decision Type: Non-Urgent Non-Executive Non-Key

Title: COMMUNICATIONS POLICY

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Resources

Ward: (All Wards)

1. Reason for report

1.1 At its meeting on 27th March 2013 the Executive and Resources PDS Committee received a report setting out an overarching policy for staff covering all forms of communication. The Committee decided to support the policy and refer it to this Committee for approval, subject to removal of reference to it applying to Councillors in section 3 (scope). It was suggested that the Constitution Improvement Working Group should look at how the issue could be addressed for Councillors.

1.2 The policy, as amended, is set out in the appendix to the attached report.

2. **RECOMMENDATION(S)**

That the Committee approves the Communications Policy.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: N/A
 5. Source of funding: N/A
-

Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: This report does not involve and executive decision.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

Non-Applicable Sections:	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	None

Report No.

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Executive and Resources
Policy Development & Scrutiny Committee

Date: 27 March 2013

Decision Type: Non-Urgent Non-Executive Non-Key

Title: Communications Policy

Contact Officer: Susie Clark, Communications Executive
Tel: 020 8461 7911 E-mail: susie.clark@bromley.gov.uk
Angela Huggett, Human Resources Consultancy Manager
Tel: 020 8313 4029 E-mail: angela.huggett@bromley.gov.uk

Chief Officer: Charles Obazuaye, Assistant Chief Executive (HR)

Ward: N/A

1. Reason for report

1.1 The E&R PDS Committee requested an overarching policy for staff covering all forms of communication, both internal and external, including the internet, email and social networking.

2. **RECOMMENDATIONS**

Members to recommend the policy with any amendments to the General Purposes and Licensing Committee for approval.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: £N/A
 5. Source of funding: N/A
-

Staff

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: No statutory requirement or Government guidance.
 2. Call-in: Call-in is not applicable.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 The Communications Policy is an overarching policy for staff covering all forms of communication. It is drawn from existing guidance and contains a clear set of rules for all employees, including teachers, regarding the way in which they conduct themselves in all forms of communication both inside and outside the Council. The policy makes reference to electronic communication including the internet, email and social networking as well as covering telephone communication, letters and the Council's approach to dealing with the media.
- 3.2 A small officer working group with representatives from Human Resources, Communications, Bromley Knowledge and Information Systems worked on the policy to ensure that all forms of communication were considered and covered in the draft policy.

4. POLICY IMPLICATIONS

- 4.1 Overarching policy for staff drawn from existing guidance.

5. LEGAL IMPLICATIONS

- 5.1 As detailed in the attached policy.

6. PERSONNEL IMPLICATIONS

- 6.1 As detailed in the attached policy.

Non-Applicable Sections:	Financial
Background Documents: (Access via Contact Officer)	None

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London Borough of Bromley
COMMUNICATIONS POLICY

www.bromley.gov.uk

Table of Contents

1. Aim

2. Core Principles

3. Scope

4. Media Protocols

5. Telephone Contact

6. Written Communications

7. Electronic Communications

8. Security

9. Further Information

1. AIM

- 1.1 This document sets out the Council's Policy in relation to all forms of communication with the public, press, partner organisations, contractors, consultants and staff.
- 1.2 The policy is designed to clarify and explain the basic rules for making the best use of LBB's communication and information systems without putting staff, customers or data at risk.
- 1.3 It explains the Council's expectations and sets out general standards regarding communications.

2. CORE PRINCIPLES

- 2.1 The Council treats all people with equal respect, concern and consideration and recognises the valuable contribution made to the community by all individuals. We strive to ensure that this belief is embodied in the way we communicate with residents, service users and customers; in our employment practices; and in how we work with our partners and agencies in the community.
- 2.2 Being 'excellent' is a key part of Building a Better Bromley, and it requires staff to promote and protect the good name of the Council and abide by its corporate operating principles and REAL leadership values (Respect, Empower, Ambition, Learn).
- 2.3 The Council understands that employees have a right to a private life and has an expectation that employees should maintain reasonable standards in their own behaviour to uphold public trust and confidence in them. Employees should avoid conduct which is likely to bring the Council into disrepute and conduct themselves in a way that they would not lead any reasonable person to question their motives or intentions and should seek to protect and enhance the reputation of the Council at all times. When representing the Council in person, on the telephone or in written form, staff should always be aware of the way in which they are perceived. In particular, being aware that they should not make personal or political comment regarding Council policy which may bring into question their impartiality and professional integrity. The employment relationship between individual employees and the Council is based on trust and confidence which is a central part of every contract of employment.
- 2.4 Staff should be aware that their actions either inside or outside the workplace can potentially lead to their conduct being called into question and could result in disciplinary action being taken against them which could ultimately lead to their dismissal.
- 2.5 All employees are under a general duty towards the Council regarding confidentiality and must not, either during their employment or afterwards, use, disclose or distribute any information or data acquired in the course of their employment other than is necessary for the proper performance of their duties and responsibilities or as required by law.

3. SCOPE

- 3.1 This Policy applies to all staff within the Council and sets the standards the Council expects in relation to all forms of communication.
- 3.2 Where partner organisations carry out work or activities on behalf of Bromley Council they may already have their own policies regarding communication standards, however, the Council's standards should be regarded as the minimum.
- 3.3 All staff with access to the Council network have access to an email account and to the internet. Many contractors and partners also have access to these systems. This policy applies to everyone who uses the Council's IT network and/or systems, including all permanent or temporary Council staff, contractors and consultants.

4. MEDIA PROTOCOLS

- 4.1 All the Council's media contact will be professionally managed to meet the communications needs of the Council and of the media.
- 4.2 When the media approaches the Council, officers should immediately direct journalists to their Communications Lead. They should not engage with the journalist themselves. Only officers approved as media contacts by their Chief Officer, in agreement with the Communications Team, should be able to talk to the media. Officers designated as a 'spokesperson' on a specific or technical subject should again ensure that Communications Leads are consulted before any quotes are given to the media. All quotes must be confined to factual matters aimed at clarifying Council policy; it is not appropriate for officers to make subjective comments. Queries requiring a policy or political comment will be passed on to the relevant Executive Councillor to respond to. The principle of 'No surprise' applies here: your Chief Officer and the relevant Executive Councillor should be fully briefed before you talk to the media.
- 4.3 If you are contacted by the media, always contact your Communications Lead in the first instance. Staff should not engage with the media themselves.
- 4.4 For further advice on what to do if contacted by the media please contact Communications immediately on 020 8461 7911 or 020 8313 4390.

5. TELEPHONE CONTACT

- 5.1 The Council is actively promoting contact via the web as electronic communication becomes more and more the norm for many people who want to access information from their desktop and increasingly while on the move through mobile phones and tablets. Nevertheless, we need to continue to deal with a volume of phone calls.
- 5.2 Telephone calls should be dealt with promptly and courteously and staff should take responsibility for answering or directing the call appropriately. When employees are away from their desk, they should ensure that adequate arrangements are made for callers to be responded to in their absence.

6. WRITTEN ENQUIRIES

- 6.1 To be efficient and effective we need to make sure that we reply promptly to any written communications and that everything we write is clear and well expressed in plain language and provides sufficient information for our customers. All written communications should be factually accurate and reflect the Council's position, and properly filed for future reference.

7. ELECTRONIC COMMUNICATIONS

- 7.1 Information technology, especially the Internet and email systems, offer powerful and cost-effective ways of doing business and increasingly, customers expect to communicate with us electronically. The Council has made a significant investment in information technology so we can process, store and share data more effectively.
- 7.2 However, developments in technology mean it is now extremely easy to share information instantaneously and easily using email or websites, giving rise to unique risks and real dangers that could potentially impact on the Council or an individual officer's reputation. It is essential, therefore, that employees exercise care and attention to ensure that any personal comments made are subject to the core principles in this policy.
- 7.3 The Council does not object to employees using internet browsing facilities for personal use out of core work hours or for quick reference during the normal day. However, staff must exercise discretion to ensure that this is limited and does not impact on business activities, nor should it be used for private gain or private commercial purposes. Inappropriate use of Council's electronic communications could result in disciplinary action.

Social Media

- 7.4 Social media and social networking sites are websites by which personal information or opinions can be presented for public consumption and websites which allow people to interact with each other. Examples of social media and social networking sites could be all internet presences including blogs, Facebook, Twitter, Web 2 , Bebo, YouTube and MySpace. This list is not exhaustive as new technology is emerging on a daily basis.
- 7.5 Staff are personally responsible for their communications on social media. This includes any media attachments such as photographs or videos. What staff publish on a social media site will be available for any member of the public to read for a long time. Staff should always think carefully about this when posting personal content and be mindful that privacy settings on personal social media accounts do not prevent individuals from forwarding or circulating information to others.
- 7.6 Staff should not place any information regarding their employer, their colleagues and pupils or people they come into contact with as part of their employment on a social networking or media site. Any derogatory remarks or comments about the Council or your colleagues or partner organisations could result in disciplinary actions.
- 7.7 Staff working in schools or with young people should take particular care that communication with those young people should only take place on a professional basis using the school's or the Council's communications systems. Staff working in schools should not place themselves in a position which will call into question their professional integrity and safeguarding responsibility.

8. SECURITY

- 8.1 If there is a need to share sensitive information a secure method of communication must be used. Failure to adequately protect sensitive data can have serious consequences, be subject to legal action, or in the worst case result in financial penalties for the Council.
- 8.2 Sensitive information includes:
- Personal data and sensitive personal data as defined by the Data Protection Act 1998
 - Strategic business or financial data
 - Commercially confidential and contract information
 - Technical electronic data including account user names and passwords of line of business systems or the LBB network infrastructure.
- 8.3 Under normal circumstances, Royal Mail Special Delivery, or a commercial courier service will provide adequate protection for printed material, film or static images.

8.4 Electronic communications or 'data in transit' can be secured by one of a number of different methods depending on the sensitivity of the information, Details are available on One Bromley. If unsure please seek professional advice from the Information Systems Division.

8.5 To ensure clarity all electronic or paper documents containing sensitive information must be clearly and appropriately labelled to indicate the likely impact if lost, corrupted, or wrongly disclosed.

- PROTECT – minor or moderate short term impact.
- RESTRICTED – Significant or prolonged impact.

More details are available on One Bromley or from the Information Systems Division.

9. FURTHER INFORMATION

9.1 This policy will be reviewed regularly to ensure that it continues to reflect the Council's priorities.

9.2 For further information regarding communications please contact Corporate Communications. For Human Resource related matters please contact HR Consultancy.

March 2013

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Agenda Item 7

Report No.
RES13075

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: 10th April 2013

Decision Type: Non-Urgent Non-Executive Non-Key

Title: APPOINTMENTS TO OUTSIDE BODIES

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Resources

Ward: (All Wards)

1. Reason for report

- 1.1 In May each year, the Committee considers a report on the appointment of Council representatives to serve on Outside Bodies and Partnership Bodies. Most appointments are renewed annually, but a small number run for longer periods and do not necessarily tie in with the Council year. The period of appointment to the Court of Governors of the St Olave's and St Saviours Grammar School Foundation expires on 30th April 2013, and the Committee is asked to consider re-appointing the current Members, or appointing new Members. The Committee is also reminded that appointment to the Oxleas NHS Foundation Trust was deferred at the last meeting – further information is included.

2. **RECOMMENDATION(S)**

That the Committee approves the following appointments –

(1) subject to confirmation of their views, Councillors Neil Reddin and Robert Evans be re-appointed to the Court of Governors of St Olave's and St Saviour's Grammar School Foundation for the three year term expiring 30th April 2016.

(2) one Councillor be appointed to the Oxleas NHS Foundation Trust Council of Governors for the remainder of the three year term of office ending in May 2015.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £320,320
 5. Source of funding: 2012/13 Revenue Budget
-

Staff

1. Number of staff (current and additional): 8 posts (7.22fte)
 2. If from existing staff resources, number of staff hours: Liaison with outside bodies about council appointments forms a very small proportion of one post within the Democratic Services Team.
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: This report does not involve an executive decision.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 Most outside body appointments are made on an annual basis by the Committee at its first meeting of the Council year in May, but a number of appointments are for longer periods which do not necessarily match the Council year. Appointments to two bodies need to be considered as follows.

Court of Governors of St Olave's and St Saviour's Grammar School Foundation

- 3.2 The term of office of the two current Council appointees, Councillors Neil Reddin and Robert Evans, expires on 30th April 2013. Appointments are for periods of three years. Officers are currently checking that Councillors Reddin and Evans wish to continue serving on this body. The Court of Governors is different from the school governing body; it is part of the Foundation covering not only the school in Orpington, but the St Saviour's and St Olave's Girls' School in Southwark.

Oxleas NHS Foundation Trust Council of Governors

- 3.3 The Council appoints one representative to the Oxleas NHS Foundation Trust Council of Governors for three year terms of office. Councillor Michael Turner, the current Mayor of Bromley, represented the Council for some time, but he has decided not to continue. A vacancy therefore exists for the remainder of the three year term expiring in May 2015. At the last meeting, the appointment was deferred to seek further information on the appointment from the Care Services Portfolio Holder and the Director of Education and Care Services.
- 3.4 Further information has been obtained as follows. The Council of Governors consists of 47 governors – 12 public governors (4 each for Bromley, Bexley and Greenwich), 12 service user/carer governors, 7 staff governors and 16 appointed governors, including one Councillor from each of the three boroughs. The Council of Governors agrees the strategic direction of the Trust and its services and represents the views of the Trust's members, working closely with the Board of Directors. It is recommended that Bromley should continue to be represented on the Council of Governors.

Non-Applicable Sections:	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Previous reports to General Purposes and Licensing Committee on outside body appointments.

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LOCAL JOINT CONSULTATIVE COMMITTEE

Minutes of the meeting held at 6.00 pm on 28 February 2013

Present

Employer's Side

Councillor Nicholas Bennett J.P.
Councillor Eric Bosshard
Councillor Stephen Carr
Councillor Ellie Harmer
Councillor William Huntington-Thresher
Councillor Russell Mellor
Councillor Tony Owen
Councillor Colin Smith
Councillor Diane Smith

Staff Side and Departmental Representatives

Richard Harries, Unite
Adam Jenkins, Unite
Glenn Kelly, Staff Side Secretary
Kathy Smith, Unite
Max Winters, Education & Care Services

54 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies.

55 DECLARATIONS OF INTEREST

Councillors Colin and Diane Smith both declared a personal interest as their daughter worked for the Library Service on a part time basis.

56 MINUTES FROM THE PREVIOUS MEETING OF THE LOCAL JOINT CONSULTATIVE COMMITTEE HELD ON 5TH SEPTEMBER 2012

The minutes were agreed.

57 STAFF SIDE ITEMS FOR CONSIDERATION

A) LOCAL PAY AND CONDITIONS

By raising this matter, the Staff Side Secretary wanted to provide Members an opportunity to assess the position now reached and to understand the implications of the Council's decision the previous evening to implement localised pay and conditions for staff.

He suggested that some 2,000 staff had not agreed to change their employment contract to reflect localised pay and conditions. This amounted to some 60% of the workforce. Under the national agreement, a first formal offer was made on 21st February 2013 and he suggested that this bettered the L B Bromley offer by providing a 1% pay rise, an increase in Annual leave and an increase in car mileage rates. An essential car user could obtain more through

the national car mileage offer than the £200 offered by LB Bromley to accept localised arrangements. The gap between national and LB Bromley proposals had now shrunk with the national offer overtaking the benefits of the Council offer. The Staff Side Secretary asked whether the Council would now re-consider its proposals.

He indicated that the threshold for triggering the dismissal and re-engagement consultation process had been exceeded. If maintained, such a figure would provide those employees with a right of appeal against implementation. The Staff Side Secretary estimated that it would take some 57 weeks to conclude 2,000 employee appeals, highlighting that local pay and conditions were intended to be cost neutral. The Unite and Unison unions had balloted for industrial action against the national offer. Staff were now more anxious about the Council's budget position; were local pay and conditions beneficial, the Staff Side Secretary suggested making them voluntary alongside an increased inducement.

The Chairman emphasised that the Council wanted a good working relationship; the desire was to have local terms and conditions for staff. Overall, 44.25% of staff (1,579) had agreed to local pay and conditions. Some staff may have also been awaiting the Council decision before responding. With the decision made, it was now possible to provide flexibility for staff through the new arrangements. Councillor Carr explained that the offer had been part of the budget process to provide certainty for staff. It included a pay offer of 1.7% for staff earning less than £21k (FTE) and 1.2% for staff earning £21k (FTE) or more. It also included a £200 one-off facilitation payment to those agreeing the offer by 11 March. This would stand in the budget and there would be no change to conditions of service for two years (with an assurance of no plans to alter them thereafter). The offer provided was in good faith and would not change.

The Assistant Chief Executive (HR) disputed the suggestion that some 2,000 staff had yet to respond advising that 56% of the workforce had responded. Following the Council decision, more responses were expected in the next few days. The Bromley package was better than the national offer which comprised either (a) 1% linked to changes in conditions or (b) 1% for those on SPC4 -10 (staff earning to £14k) and 0.6% for remaining grades without any change in conditions. Linked to option (a) was an increase in the start of Annual leave from 21 to 22 days but this was below L B Bromley's offer at 23 days.

The Staff Side Secretary referred to the national offer and mileage rate change. He also indicated that the 22 days Annual Leave offered nationally included two "statutory" days so improving on the L B Bromley offer. He highlighted that a non-response to the Council's offer did not indicate agreement and hours worked or to be worked on the exercise had not been costed.

For clarification, the Chairman explained that 44.25% of staff had agreed to the Council's offer and Councillor Carr indicated that it was not known when the national offer would be paid.

B) MARKET TESTING

The Staff Side Secretary suggested the Council was about to enter the largest market testing exercise since the late 1980s/early 1990s. He understood that some 10 to 13 services were to be market tested.

The Staff Side Secretary referred to a concern with certain management figures for some exercises including proposals for extra care housing and concerns about the Call Centre in particular. It was necessary for staff to be confident of having consultation on proposals and the Staff Side were accordingly asking for representation at meetings (observing and speaking).

Before any private sector outsourcing, the Chairman highlighted a need to ensure that a service would be improved under private arrangements. Where this was not the case the service would not be outsourced. Councillor Carr suggested that staff could influence decisions on services such as ICIS and Reablement but was not supportive of staff side representation on the Organisational Transformation Team (OTT) Board. It was possible to inform the staff side but staff side inclusion at OTT meetings would not be appropriate in the same way as staff side representation at Cabinet meetings would be inappropriate. However, there was no attempt to hide information and the Employer's side were respectful of staff.

The Assistant Chief Executive (HR) was unable to support the Staff Side being part of the OTT Board. OTT work, led by the Director of Renewal and Recreation, was not considering privatisation as the only option for services – there were other options including shared services and in-house provision. Councillor Carr indicated there were two cases where social enterprise was an option. This had not been pushed but there was an openness to look at such an approach. This was supported by Councillor Bosshard and he encouraged the staff side to look at social enterprise. Councillor Owen felt that front line service staff knew how to run their services and he wanted an opportunity for staff to submit their own bid to run their service.

The Chairman highlighted that the staff side would be consulted. Referring to management figures, the Vice-Chairman suggested that figures were often given at Executive meetings as illustrations of what might be the case. She asked that accurate figures are used and felt that figures with substance were necessary rather than illustrative figures. The Staff Side Secretary advised against using current prices. Concerning staff representation, he also indicated that staff were previously represented on Best Value Boards and he felt that senior staff were remote, not working in (the front line of) the services provided.

Councillor Bennett suggested there were a variety of options that could be considered when market testing and there were opportunities for staff. There

were responsibilities to Council Tax payers to ensure value for money. Contracting out a service would not be taken forward if the service was best delivered in-house. Members were asking management for options on delivering services and details would be considered in public by the relevant PDS Committee(s). Councillor Bennett supported the principle of market testing.

Mr Harries asked whether there would be opportunity to consider services already outsourced. The Council's legal team and youth service (formerly *Connexions*) were highlighted as examples of services brought back in-house. It was necessary to continually look at services and the Executive and other Council bodies would do this.

The Staff Side Secretary enquired of concerns for staff having a direct input into the market testing process. The Assistant Chief Executive (HR) explained there was a framework in place for staff to provide views; seeking staff involvement did not enable staff side representation on a management review. There would be consultation and staff side representation was not necessary on the OTT Board.

Mr Harries asked if it would be possible for the Staff Side to see minutes of meetings - the Staff Side were looking to help prevent problems for the future and to assess whether the process was fair. If a work issue concerned the Staff Side, Councillor Carr felt there should be management involvement openly in the work place. Committee representation would not provide the staff side with any further information and could fetter management discussion. Further information would come from sources such as a newsletter.

58 DATE OF NEXT MEETING

The date of the Committee's next meeting was scheduled for 4th July 2013.

The Meeting ended at 6.57 pm

Chairman

PENSIONS INVESTMENT SUB-COMMITTEE

Minutes of the meeting held at 7.30 pm on 12 February 2013

Present

Councillor Paul Lynch (Chairman)
Councillor Julian Grainger (Vice-Chairman)
Councillors John Ince, Russell Mellor, Neil Reddin FCCA and
Richard Scoates

65 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies.

66 DECLARATIONS OF INTEREST

Councillors Paul Lynch, Julian Grainger, Russell Mellor, Neil Reddin and Richard Scoates each declared an interest as members of the Bromley Local Government Pension Scheme.

67 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 15TH NOVEMBER 2012 EXCLUDING THOSE CONTAINING EXEMPT INFORMATION

The minutes were agreed.

68 MATTERS OUTSTANDING FROM PREVIOUS MEETINGS

Members were updated on the matters below.

(a) Member Training

A training evening for Members, previously suggested at a Sub-Committee meeting, was held on 5th February 2013 covering a wide range of issues related to the Pension scheme.

The event was led mainly by Baillie Gifford and Co and the Chairman felt that it was an excellent training evening. Copies of the training presentation pack were provided at the meeting for the benefit of Sub Committee Members unable to be at the event. Councillor Mellor offered his apologies for not being able to attend in view of business commitments. The Finance Director indicated that the training was provided at no cost to the Council with the speakers meeting their own costs.

(b) Auto-enrolment

Concerning Auto-enrolment to the Pension Scheme, approval was being sought to a transitional period for deferring automatic enrolment to eligible jobholders. As at 1st March 2013, the Council has the option to defer until September 2017 the automatic enrolment of eligible jobholders who had opted out of the LGPS prior to 1st March 2013. A report on this would be considered by the General Purposes and Licensing Committee at their meeting on 14th February 2013. Approval would mean that Auto-enrolment would effectively only apply to new starters between 1st March 2013 and September 2017.

(c) London Mutual Pension Fund

Work continued on this and there was no proposal to seek a commitment from London Boroughs at this stage.

69 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

There were no questions.

70 PENSION FUND PERFORMANCE Q3 2012/13

Report RES13030

Summary details were provided of the investment performance of Bromley's Pension Fund for the first three quarters of 2012/13 along with information on general financial and membership trends of the Fund and summarised information on early retirements. The Fund's external advisers, AllenbridgeEpic, provided further detail on investment performance and Fidelity and Baillie Gifford each provided an update on performance and economic outlook/prospects.

The market value of the Fund rose during the December quarter to £526.0m compared to a value of £462.1m at 31st December 2011. By 1st February 2013 the Fund value had increased to £558.8m.

Until 2006, the target for Fund managers was to outperform the local authority universe average by 0.5% over rolling three year periods. Following a review of management arrangements in 2006, both managers were set performance targets relative to their strategic benchmarks; Baillie Gifford's target to outperform benchmark by 1.0% -1.5% over three-year periods and Fidelity's to outperform by 1.9% over three-year periods. Although the 2012 strategy review saw maintenance of an 80%/20% split between growth seeking assets and protection assets, the growth element would comprise a 10% investment in Diversified Growth Funds (DGF) and 70% in global equities, the latter removing arbitrary regional weightings in favour of flexibility in world stock markets and potentially improved long-term returns.

Baillie Gifford and Standard Life each received £25m on 6th December 2012 from Fidelity's equity holdings to establish the 10% DGF allocation (Phase 1 of the new strategy) and market values of the allocations had since increased.

Performance from Baillie Gifford and Fidelity for the first three quarters of 2012/13 was outlined. Baillie Gifford returned 3.0% in the December quarter (0.4% below benchmark) and Fidelity returned 3.7% (0.7% above benchmark). The Pension Fund's medium and long-term returns remained strong with Bromley's performance in the last few years particularly good. Baillie Gifford's returns for three years and ten years ended 31st December 2012 (9.1% and 9.9% respectively) compared favourably with those of Fidelity (7.6% and 9.4% respectively), while Fidelity (at 5.8%) outperformed Baillie Gifford (at 5.7%) over five years.

Concerning Affinity Sutton Pension arrangements, officers were continuing to explore alternative options. Discussions were continuing and the LPFA and Affinity Sutton were due to meet again on 27th February 2013.

Details were also provided of the 2012/13 Pension Fund Revenue Account and membership figures to 31st December 2012. A net surplus of £5.6m was achieved in the first three quarters of the year (mainly due to investment income) and total membership numbers rose by 319. However, the overall proportion of active members continued to decline and fell from 36.4% at 31st March 2012 to 35.7% at 31st December 2012.

In discussion the Sub Committee's Independent Adviser, Mr Alick Stevenson, provided views on the Fund's performance. He briefly outlined a global context referring to the U.S., Eurozone and UK. Markets were consolidating around higher levels with investors currently moving in and out of fixed income. Mr Stevenson felt that 2013 could see some growth.

Delivering a 14% performance over the twelve month period was good. However, over a three year period to 31st December 2012, Fidelity had returned their benchmark at 7.6%; Baillie Gifford for the same period returned 9.1% against a 7.1% benchmark. This indicated successful asset selection by Baillie Gifford. Fidelity however was hugging its benchmark although its short term quarterly returns for September 2012 and December 2012 were particularly good. Nevertheless, Fidelity did not appear to allocate assets over central points.

On Phase 1 of the new Strategy, Mr Stevenson congratulated the Principal Accountant for his handling of documentation for a transfer of funds from the Fidelity Fund to the new Diversified Growth Fund. Fidelity also handled the transfer in a professional manner. The two new DGF Fund Mangers were appointed by the Sub Committee on 15th November 2012 and funded on 6th December 2012. The transfer went smoothly and the new mandates had performed well. It was agreed to review Baillie Gifford's DGF performance at the next meeting when their representatives would be attending and agree a date for Standard Life's future attendance at a Sub-Committee meeting. Mr Stevenson recommended they are not seen for a year although he would

monitor their performance in the meantime. As a consequence of the changes, Fidelity's benchmark reduced from 1.9% to 1.7% from 1st December 2012.

On the appointment process for Phase 2 (Global Equities), the Pre-Qualification Questionnaire (PQQ) stage was underway and it was anticipated there could be up to 50 responses. The expiry date was some 37 days after the date of OJEU notice i.e. around the end of March. An evaluation period would then follow to achieve a shortlist of 12 with further evaluation to follow before coming up with a short list, probably of six potential managers. It was suggested that the Sub Committee's 9th May meeting continue as planned with a special meeting scheduled for the end of May or early June to receive presentations and agree appointments. Mr Stevenson suggested the date be variable in consultation with the Chairman.

Councillor Grainger focussed on the fund achieving a return to meet medium to longer term liabilities. He referred to the US Federal Reserve and European Central Bank continuing to buy Government Bonds effectively increasing money supply with a resurgent inflation risk. The dollar was not strong and with Government Bonds returning some 5% he suggested the Sub-Committee consider other ways of generating (fixed) income without too much risk e.g. property. He felt that if the re-investment rate was lower than three years previously it would take longer for the Fund to meet its liabilities – the recovery period would lengthen.

Mr Stevenson suggested input from the Actuary who will have carried out early calculations by the end of March; for future meetings it was necessary to consider ways to nudge the income growth rate. Mr Stevenson felt that education on the scenario of long term risks was necessary and to have assistance from the Actuary. It could be that future infrastructure investment might be beneficial. It was also necessary to know the proportion of the long term risk already covered and to have ways of hedging or protecting the Fund long term. The Finance Director indicated that the Actuary had given an initial indication. Some 20 Pension Funds had already been looked at and their funding position had deteriorated. The issue was about people living longer and there was a low return on Gilts. There was a complexity within the liabilities and the risk was of the Pension Fund moving to a negative cash flow and lower returns. As staff reduced there would be a saving longer term but for the medium term i.e. 10 to 15 years, membership numbers needed for the Pension Fund would reduce and there would be lower returns. Consequently, the Finance Director referred to engaging the Actuary with Members at an early stage.

Councillor Grainger felt that it could be difficult to grasp how the Pension Fund can increase in value and yet have reduced funding. He suggested an early funding warning to Members with some training and it was confirmed that the Member Finance Seminar in June would include this.

It was indicated that the DGF Portfolio had a small property element and infrastructure was a developing area which could be considered during Phase

3 of the new strategy (fixed income). Additionally, the funding strategy was in transition and it was important to allow it time to be fully implemented and to then bed in. Mr Stevenson suggested infrastructure consideration for Phase 3 of the Strategy as the fixed income parameters had yet to be agreed. The Chairman was also wary of officer time being taken to work on property, infrastructure and other fixed income matters at a time when it was important to implement the new investment strategy in its entirety. He suggested adding property to the Sub-Committee's Matters Arising. The Finance Director also indicated a liquidity issue for property and having options to be able to sell properties. It was necessary to look at a longer time frame for the Pension Fund e.g. 15/20 years. He referred to timing and implementing the new strategy and looking at property investment in the future. He suggested a possible opportunities fund in the future but for the present it was important to "bed down" the strategy.

RESOLVED that the report be noted.

71 PENSION FUND - 2012/13 AUDIT PLAN

Report RES13042

Members noted the 2012/13 Audit Plan of the L B Bromley Pension Fund.

This was prepared by auditor PricewaterhouseCoopers LLP (PWC) to inform Members and officers of the responsibilities of the external auditors and how they plan to discharge those responsibilities in accordance with the Audit Commission's Code of Practice. The Plan was prepared in consultation with officers and includes an analysis of key risks, PWC's audit strategy, reporting and audit timetable and other matters.

The Council's accounts were being prepared in accordance with the requirements of both the LGPS Regulations and the CIPFA Statement of Recommended Practice and would be audited as part of the overall audit of the Council's Accounts by PWC.

RESOLVED that the Pension Fund Audit Plan for 2012/13 be noted.

**72 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE
LOCAL GOVERNMENT (ACCESS TO INFORMATION)
(VARIATION) ORDER 2006 AND FREEDOM OF INFORMATION
ACT 2000**

Under Part 2 proceedings, Mr Stevenson outlined his views on investing in Options (Derivatives) and selling them on i.e. insuring the Fund or hedging risk against future fluctuations in the FTSE value. The earliest derivatives were to 2014 and prices were being looked at to 2016 and 2018. Volatility was quite significant with this type of investment and hedging the FTSE would be imperfect as it would only cover about 20% of the Fund's equity portfolio - with the change to Global equities (Phase 2) it was not known at this stage what the UK equities would be on completion of Phase 2. There was also an

illiquidity premium and it would be necessary to procure a Manager for the activity, tendering in compliance with OJJ requirements given a value of some £80m. There would also be legal fees which would not be small.

Councillor Grainger questioned why it was necessary to look beyond 2014 as such a fund would become more illiquid. He suggested hedging an amount at the Fund margins e.g. 10% and to assess how much comprised UK equities; without considering such an approach it would not be possible to act when needed.

Mr Stevenson advised that a specialised Fund Manager would be needed for hedging an amount at the margins. Although such an approach had worked in the past there had been infrequent benefits and it was costly. It was also complex and work was being taken forward with Phase 2 of the Strategy with Phase 3 to follow. There would also then be a Triennial Valuation. Mr Stevenson also referred to a previous liability driven target with Credit Agricole. Councillor Mellor indicated that capital was maintained with this venture but interest lost.

Councillor Grainger referred to such an option increasing in value at a time when the Pension Fund value drops and the option could therefore be sold at the right time.

**73 CONFIRMATION OF EXEMPT MINUTES - 15TH NOVEMBER
2102**

The Part 2 Minutes were agreed.

74 PENSION FUND - INVESTMENT REPORT

Quarterly reports (to 31st December 2012) from Baillie Gifford and Fidelity had been circulated prior to the meeting along with quarterly reports (to 31st December 2012) from Standard Life Investments and Baillie Gifford in respect of the Diversified Growth Fund investments.

Representatives from Fidelity attended the meeting to present their investment review and answer questions.

The Meeting ended at 9.08 pm

Chairman

AUDIT SUB-COMMITTEE

Minutes of the meeting held at 7.00 pm on 13 March 2013

Present:

Councillor Neil Reddin FCCA (Chairman)
Councillor Simon Fawthrop (Vice-Chairman)
Councillors Nicholas Bennett J.P., Will Harmer and
Stephen Wells

Also Present:

Councillor Peter Fookes

25 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Reg Adams and Ruth Bennett.

26 DECLARATIONS OF INTEREST

Councillor Simon Fawthrop declared an interest during consideration of the Annual Internal Audit Plan 2013/14 (minute 34) as his daughter was involved in the Duke of Edinburgh award scheme at the Phoenix Centre.

27 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

28 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 14th NOVEMBER 2012 EXCLUDING THOSE CONTAINING EXEMPT INFORMATION

RESOLVED that the minutes of the meeting held on 14th November 2012, excluding exempt information, be confirmed.

29 MATTERS ARISING Report RES13050

The Sub-Committee noted the summary of matters arising from previous meetings. Further details were available in the Internal Audit Progress Reports.

30 EXTERNAL AUDIT- ANNUAL GRANT CERTIFICATION REPORT
Report CEO1217

The Sub-Committee considered the External Auditor's report on the annual grant certification for 2011/12. Janet Dawson and Matthew Williams from PricewaterhouseCoopers LLP attended the meeting to present this and the following reports and answer questions. They confirmed that the reference to a duplicate payment for Non-HRA housing benefits was a one-off error. Checking of Housing and Council Tax Benefits was based on sampling, following an approach prescribed by the Audit Commission.

RESOLVED that the Grant Certification report be noted.

31 EXTERNAL AUDIT - ANNUAL AUDIT PLAN 2012-13
Report CEO1216

The Sub-Committee reviewed the External Auditor's annual plan arrangements for 2012-13. These were very similar to previous years. Janet Dawson outlined some of the significant risks that had been identified, including valuation of investment properties – a Member commented that with internet shopping putting pressure on traditional retail it would be useful to have a view on this. Ms Dawson commented that they would need to take specialist advice on this, but would be looking for rigorous process. In response to a question about public health, she confirmed that they would look at the preparations for public health transferring fully to Council control.

RESOLVED that the External Auditor's arrangements for the Annual Audit Plan 2012-13 be noted and the proposed de minimis level of £500,000 for reporting of differences and misstatements to committee be approved.

32 EXTERNAL AUDIT - ANNUAL AUDIT FEE LETTER
Report CEO1218

The Sub-Committee received a report on the Annual Audit fee. This had reduced significantly as the recharge to the Audit Commission had now been removed.

RESOLVED that the Annual Audit Fee be noted.

33 INTERNAL AUDIT PROGRESS REPORT
Report CEO1214

The Sub-Committee considered a summary of recent internal audit activity, and commented as follows.

(a) Priority One Recommendations - Debtors: An analysis of debts over a year old was provided in Appendix B. Many of these debts were for invoices

under dispute. The Head of Internal Audit was assured that adequate action was being taken, and there would be an audit on debtors in 2013/14.

(b) Audit Activity and Resources - The establishment of the Internal Audit Team was now up to 6.4 fte posts, still amongst the lowest in London, but enabling an increase in planned audit days. The Team had lost contracts with two academies, but taken on two new schools. Councillor Wells stated that it was expected that there would be more withdrawals, largely on cost grounds.

(c) Waivers - Details of waivers approved from September 2012 to February 2013 were set out in Appendix C. The Council would be inheriting a number of public health contracts in April 2013, many of which expired in March 2014. There was concern about a sexual health services contract that allowed claims for Bromley residents from anywhere in the country, and a special audit of this was being carried out. Other public health contracts would be targeted in the annual audit plan. Training on Bromley's financial regulations and contract procedure rules was being provided for public health staff.

A Member sought information on the Renewal and Recreation waiver of £870,000 relating to an affordable housing payment in lieu; it was confirmed that this concerned Opportunity Site K, and a report on this matter had been considered at the special Executive meeting earlier in the evening.

Information was requested on the payment of £139,000 to Peopletoo for a Council wide management review. It was explained that this was part of an allocation of £300,000 agreed by the Executive – a further report was being prepared for the Executive's next meeting in April.

The Vice-Chairman sought further information by email on the following waivers –

- Bromley Link - £144,000
- Specialist statutory assessments for people with visual impairments - £99,000
- Specialist 4x4 winter maintenance vehicle £153,000

(d) Future of Public Audit/Audit Committees - The Government had not amended the draft Local Audit Bill requiring local authorities to have non-elected members for appointing external auditors. The Chairman agreed to write to the Secretary of State, Eric Pickles MP, on this point and to invite him or one of his Team to attend a meeting of the Sub-Committee.

(e) Housing Benefits -It was explained that the swings in housing benefit fraud cases were partly due to the bi-annual National Fraud Initiative. The most recent benchmarking comparisons across London were from about a year ago.

(f) Training – Financial Regulations and Contract Procedure Rules - 350 officers had attended the mandatory training sessions; the next stage was a web-based training package. This was being piloted and would be rolled out after Easter.

(g) Risk Management - The Risk Register was currently being reviewed. The impact of academy status was included in the Corporate Risk Register. It was confirmed that closure audits would be carried out for all schools leaving the Council's control.

The Council's staffing attrition rate was about 10% per annum, although this tended to be higher in children's social work, and the rate would have been distorted by the effect of the scale of redundancies in recent years. It was suggested that the Council should be more creative in allowing staff to reduce their hours and new staff to start on reduced hours – it was confirmed that there were arrangements in place for flexible retirement. Members commented that the Risk Register was still too general and did not do enough to put financial values against the risks.

34 ANNUAL INTERNAL AUDIT PLAN 2013/14 Report CEO1213

The Sub-Committee considered the Internal Audit Plan for 2013/14. The Plan targeted all major systems, changes in legislation, issues highlighted by Directors, and issues that had been problem areas in the recent past, such as capital projects, building maintenance, Parks and Green Spaces and the Behaviour Service. Additional contingency time had been allocated for anti-fraud work, and the Chief Executive had agreed that extra funding would be available to bring in assistance from Deloitte if necessary. The Council would also have to carry out an audit of Troubled Families Grant.

Members noted that an audit of IT procurement was planned – this was largely about physical equipment, rather than software. All IT purchasing and licensing was being centralised through the IT Division. The cumulative spend reports now required would help to identify unnecessary spending in this area.

The Sub-Committee noted that an audit of gifts and hospitality and declaration of interests was planned and commented that this should include Councillor's declarations. All Members were urged to ensure that their declarations were up to date. A Member drew a link between contracts and hospitality and expressed concern that officers were benefitting from lunches being provided for them.

(Councillor Simon Fawthrop declared an interest during consideration of this report as his daughter was involved in the Duke of Edinburgh award scheme at the Phoenix Centre.)

RESOLVED that the Internal Audit Plan for 2013/14 be noted.

35 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED that the press and public be excluded during consideration of the items of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information

36 EXEMPT MINUTES OF THE MEETING HELD ON 14TH NOVEMBER 2012

The exempt minutes of the meeting held on 14th November 2012 were confirmed.

37 Internal Audit Fraud and Investigation Progress Report

The Sub-Committee considered a report updating them on progress with anti-fraud and investigation work.

The Meeting ended at 8.56 pm

Chairman

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Agenda Item 13

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 14

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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