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DATE: 14 May 2013

To: Members of the  
**GENERAL PURPOSES AND LICENSING COMMITTEE**

Subject to the Committee being re-constituted and Members being re-appointed at the annual meeting of the Council on 15<sup>th</sup> May 2013, a meeting of the General Purposes and Licensing Committee will be held at Bromley Civic Centre on **THURSDAY 23 MAY 2013 AT 7.00 PM**

MARK BOWEN  
Director of Corporate Services

*Copies of the documents referred to below can be obtained from*  
[www.bromley.gov.uk/meetings](http://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 Friday 17<sup>th</sup> May 2013.
- 4 **CONFIRMATION OF MINUTES OF THE MEETING HELD ON 10TH APRIL 2013**  
(Pages 3 - 6)
- 5 **LICENSING SUB-COMMITTEE: SCHEDULE OF MEETINGS** (Pages 7 - 10)
- 6 **APPOINTMENT OF COUNCIL REPRESENTATIVES TO OUTSIDE BODIES AND PARTNERSHIPS 2013/14** (Pages 11 - 18)
- 7 **APPEALS SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 1ST MAY 20013, EXCLUDING EXEMPT INFORMATION** (Pages 19 - 20)

**8 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**

- |           |   |   |
|-----------|---|---|
| <b>9</b>  | <b>AFFINITY SUTTON PENSION ARRANGEMENTS</b> (Pages 21 - 56)                 | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
| <b>10</b> | <b>APPEALS SUB-COMMITTEE: EXEMPT MINUTES - 1ST MAY 2013</b> (Pages 57 - 62) | Information relating to any individual.   |

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## **GENERAL PURPOSES AND LICENSING COMMITTEE**

Minutes of the meeting held at 7.00 pm on 10 April 2013

### **Present:**

Councillor Tony Owen (Chairman)  
Councillor Russell Mellor (Vice-Chairman)  
Councillors Douglas Auld, Ruth Bennett, John Canvin,  
Roger Charsley, Roxhannah Fawthrop, John Getgood,  
Will Harmer, Charles Rideout, Diane Smith, Tim Stevens  
and Pauline Tunnicliffe

### **76 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors Nicholas Bennett and Gordon Norrie – Councillors Ruth Bennett and Douglas Auld attended as their substitutes.

### **77 DECLARATIONS OF INTEREST**

Councillor Charles Rideout declared an interest as a school governor in relation to the part 2 minutes of the Audit Sub-Committee.

### **78 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

No questions had been received.

### **79 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 14TH FEBRUARY 2013**

**RESOLVED** that the minutes of the meeting held on 14<sup>th</sup> February 2013 be confirmed.

### **80 REVIEW OF LICENSED STREET TRADING** Report ES13026

For the purpose of controlling street trading in the borough, the Council had implemented the London local Authorities Act 1990 in 1991. The scheme had last been reviewed in 2007, when it was agreed that the legislation be used to enable businesses to utilise the public footway, where there was sufficient space, for tables and chairs and external shop displays in a legal and controlled manner. Following the meeting of the Environment PDS Committee on 5<sup>th</sup> March 2013 the Environment Portfolio Holder had agreed a new enforcement approach.

It was proposed to designate the goods and services and pitches of 23 existing street traders currently on temporary licences to allow the granting of full licenses. It was also proposed to de-designate one pitch no longer in use which was no longer considered suitable for street trading. These changes were set out in Appendix A. The licence fees applicable from 1<sup>st</sup> April 2013 were set out in Appendix B.

Members were concerned to ensure that there was a balance of consistency with accepting local conditions and therefore proposed that ward councillors be consulted on individual locations.

In response to questions from the Committee, it was confirmed that these street trading issues were non-executive matters.

**RESOLVED that, in principle, the following be approved:**

- (a) Amendments to locations and goods where street trading be permitted, as set out in Appendix A, to take effect from 1<sup>st</sup> October 2013, in consultation with Ward Councillors and subject to formal consultation being undertaken and a further report being submitted thereafter.**
- (b) The fees payable for street trading applications and licences be noted, as set out in Appendix B.**

**81 COMMUNICATIONS POLICY**  
Report RES13076

At its meeting on 27<sup>th</sup> March 2013 the Executive and Resources PDS Committee had considered a draft Communications Policy and agreed that it be referred to this Committee for approval with one minor change, that the reference to it applying to Councillors in section 3 be removed. This was an overarching policy drawing together existing guidance applicable to all staff, including teachers, and covering all means of communication, including the internet, email and social networking.

The Committee suggested one minor change to the wording of the policy to better reflect the Council's Building a Better Bromley aims.

**RESOLVED that the proposed Communications Policy be approved, subject to amending the start of paragraph 2.2 to read –**

**“Being excellent in the eyes of our residents is a key part of Building a Better Bromley...”**

**82 APPOINTMENTS TO OUTSIDE BODIES**  
Report RES13075

The Committee was asked to consider appointments to two outside bodies. It was proposed that Councillors Robert Evans and Neil Reddin be re-appointed

to the Court of Governors of the St Olave's and St Saviours's Grammar School Foundation, but there was no candidate nominated for the vacancy on the Oxleas NHS Foundation Trust Council of Governors and it was proposed that this appointment be considered at the annual appointment of Council representatives to outside bodies in May 2013.

**RESOLVED that**

**(1) Councillors Robert Evans and Neil Reddin 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 30<sup>th</sup> April 2016.**

**(2) That the appointment to Oxleas NHS Foundation Trust Council of Governors for the remainder of the three year term of office ending in May 2015 be deferred to the meeting in May 2013.**

**83 MINOR CHANGES TO THE CONSTITUTION**  
Report RES13078

The Constitution Improvement Working Group had made a number of recommendations for minor changes to the Council's Constitution relating to the terms of reference for the Rights of Way Sub-Committee and the Health and Wellbeing Board and the Council Procedure Rules. The exact text to be changed was set out in appendix 1 to the report.

At its meeting on 3<sup>rd</sup> April 2013 the Executive had approved procedures for administering the Community Right to Bid under the Localism Act 2011. At the suggestion of the Executive and Resources PDS Committee, the Executive had agreed that appeals under this process against listing and compensation decisions should be made to Members at the Appeals Sub-Committee. It was therefore proposed to make the following minor change to the Terms of Reference of the Appeals Sub-Committee in part 3 of the Constitution –

2.06 Appeals Sub-Committee

Add, after “- education transport appeals” a further line:

“- internal reviews relating to listing and compensation appeals under the community Right to Bid.”

**RESOLVED that the proposed changes to the Constitution be referred to full Council for approval, including the additional amendment to the terms of reference of the Appeals Sub-Committee set out above.**

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

The Committee received the minutes of the meeting of the Local Joint Consultative Committee held on 28<sup>th</sup> February 2013.

The Director of Human Resources reported that 2,995 staff had now accepted the Council's new local terms and conditions, with 544 staff refusing to accept them and 105 not responding. This meant that there would now be a forty five day period of statutory consultation starting soon with the staff that had not accepted and the trade unions.

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

The Committee received the minutes of the meeting of the Pensions Investment Sub-Committee held on 12<sup>th</sup> February 2013 (excluding exempt information).

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

The Committee received the minutes of the meeting of the Audit Sub-Committee held on 13<sup>th</sup> March 2013 (excluding exempt information).

**87 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**

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

The Committee received the exempt minutes of the meeting of the Pensions Investment Sub-Committee held on 12<sup>th</sup> February 2013.

**89 AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 13TH MARCH 2013**

The Committee received the exempt minutes of the meeting of the Audit Sub-Committee held on 13<sup>th</sup> March 2013.

The Meeting ended at 7.16 pm.

Chairman

# Agenda Item 5

Report No.  
RES13093

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** GENERAL PURPOSES AND LICENSING COMMITTEE

**Date:** 23 May 2013

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

**Title:** LICENSING SUB-COMMITTEE: SCHEDULE OF MEETINGS

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

**Chief Officer:** Mark Bowen, Director of Corporate Services

**Ward:** N/A

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1. Reason for report

- 1.1 The Committee is requested to consider the proposed schedule of meetings of the Licensing Sub-Committee for the remainder of 2013.

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2. **RECOMMENDATION(S)**

The schedule of Licensing Sub-Committee meetings for the remainder of 2013 be endorsed.

### 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: £363,070
  5. Source of funding: 2013/14 Revenue Budget
- 

### Staff

1. Number of staff (current and additional): 10 (8.55fte)
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory Requirement: Licensing Act 2003
  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? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable



### 3. COMMENTARY

- 3.1 This report offers Members the opportunity to consider the schedule of Licensing Sub-Committee meetings for the period July-December 2013. In accordance with the Licensing Act 2003, only Members of this Committee may serve on meetings of the Licensing Sub-Committee or act as substitutes. Whilst proportionality is not required under the Act, since the inception of these arrangements and in keeping with the Committee's wishes, it has been applied where practicable, but also with a roughly equal workload for all Members.
- 3.2 All meetings are to be held during the day; the morning session starting at 10 am and the afternoon session at 2 pm with pre-meetings at 9.45 am and 1.45 pm respectively. All dates set out in the schedule cover both sessions although it is anticipated that there will be occasions when one or both sessions may not be required. In line with the existing arrangements, Members are asked to notify staff in the Democratic Services Team as soon as possible of meetings of the Sub-Committee where they are unable to attend as allocated, or where they have arranged swaps with colleagues.
- 3.3 The meeting dates proposed for the remainder of 2013 are –
- Monday 8<sup>th</sup> July
  - Friday 26<sup>th</sup> July
  - Wednesday 7<sup>th</sup> August
  - Wednesday 21<sup>st</sup> August
  - Friday 6<sup>th</sup> September
  - Friday 20<sup>th</sup> September
  - Monday 7<sup>th</sup> October
  - Tuesday 22<sup>nd</sup> October
  - Friday 8<sup>th</sup> November
  - Tuesday 26<sup>th</sup> November
  - Tuesday 10<sup>th</sup> December
- 3.4 Members of the Committee are being canvassed on a draft rota for these dates which will be tabled at the meeting.

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	2012/13 Licensing Rota

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# Agenda Item 6

Report No.  
RES13086

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** GENERAL PURPOSES AND LICENSING COMMITTEE

**Date:** 23 May 2013

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

**Title:** APPOINTMENT OF COUNCIL REPRESENTATIVES TO  
OUTSIDE BODIES AND PARTNERSHIPS 2013/14

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

**Chief Officer:** Mark Bowen, Director of Corporate Services

**Ward:** N/A

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1. Reason for report

- 1.1 This report requests that the Committee considers the appointment of Council representatives to serve on outside bodies and partnerships in respect of (a) annual appointments for 2013/14 and (b) any three or four year appointments. The appointments due to be made, with the nominations from the party groups, are listed at appendix 1.

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2. **RECOMMENDATION(S)**

**The Committee is recommended to consider the nominations received and make appointments to the outside bodies and partnership bodies listed at appendix 1.**

### 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: £363,070
  5. Source of funding: 2013/14 revenue budget
- 

### Staff

1. Number of staff (current and additional): 10 (8.55fte)
  2. If from existing staff resources, number of staff hours: Liaison with outside bodies about Council appointments forms a small part of one post within the Democratic Services Team.
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### Legal

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

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

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

### 3. COMMENTARY

- 3.1 The Committee is asked to make its annual appointments on behalf of the Council to various outside bodies and partnership bodies for 2013/14. There are also two longer-term appointments to be made. Details of the appointments necessary are set out in Appendix 1, together with the nominations received from the party groups.
- 3.2 The following appointments are noteworthy or involve changes from previous years –
- Proactive Bromley – Representation is increased from one Councillor to two
  - Orpington Town Centre Steering Group – Appointments should no longer be needed now that the Orpington BID Board is in place.
  - Children and Young People Partnership and Health, Social Care and Housing Partnership – Subject to final decision by the Executive, these bodies are to be disbanded and appointments may no longer be needed.
  - Bromley Town Twinning Association – Previously two Councillors have been appointed to the association; it is now proposed to appoint a third Councillor.
  - Mentoring Steering Group – Previously one Councillor was appointed; it is now proposed to appoint two Councillors
  - Oxleas NHS Foundation Trust Council of Governors – The vacancy for the remainder of the three year term of office ending in May 2015 has been considered at recent meetings of this Committee.
  - Lee Valley Regional Park Authority – Eight representatives are appointed from the non-riparian boroughs for a four year term of office starting on 1<sup>st</sup> July 2013. Nominations are made to London Councils, which decides which Councils are to be represented.

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	2012/13 Outside Bodies Report

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**LONDON BOROUGH OF BROMLEY  
APPOINTMENTS TO OUTSIDE BODIES  
AND PARTNERSHIP BODIES 2013/14**

**(a) Annual Appointments for 2013/14**

**(i) London Councils' Appointments**

**Leaders' Committee (S.101 Joint Committee)**

Cllr Stephen Carr

Cllr Colin Smith (deputy)

**Transport and Environment Committee (Associated S.101 Joint Committee)**

Cllr Colin Smith

Cllr William Huntington-Thresher & Cllr Peter Fortune (deputies)

**Grants Committee (Associated Joint Committee)**

Cllr Stephen Carr

Cllrs Robert Evans, Stephen Wells & Colin Smith (deputies)

**Greater London Employment Forum**

Cllr Tony Owen

Cllr Colin Smith (deputy)

**Lead Members/Portfolio Holders**

Children & Young People: Cllr Stephen Wells

Economic Development/Regeneration: Cllr Peter Morgan

Crime and Public Protection: Councillor Tim Stevens

Culture & Tourism: Councillor Peter Morgan

Health and Adult Services: Robert Evans (Adult Services)

Peter Fortune (Public Health)

Housing: Cllr Robert Evans (Operations)

Cllr Peter Morgan (Strategic Planning)

Planning: Cllr Peter Dean

(ii) **Partnership Appointments**

**Safer Bromley Partnership Strategic Group**

Cllr Tim Stevens

Cllrs Julian Benington & Reg Adams (non-voting members)

**Children & Young People Partnership Board**

Cllr Robert Evans

**Economic Partnership**

Cllr Peter Morgan

**Health, Social Care and Housing Partnership Board**

Cllrs Robert Evans, Ellie Harmer and Pauline Tunncliffe

Cllr Diane Smith (deputy)

**Mental Health Joint Board**

Cllr Judi Ellis

Cllr Pauline Tunncliffe (deputy)

(iii) **Care Services Appointments**

**Age Concern (Greater London)**

Cllr Pauline Tunncliffe

**Early Years Development & Child Care Partnership**

Cllr Neil Reddin

(iv) **Education Appointments**

**Management Committee of Wood Lodge Living Skills Centre**

Cllr Kate Lymer

**Bromley “Y” Project**

Cllrs Nicky Dykes & Will Harmer

**Mentoring Steering Group**

Cllr Tim Stevens & Cllr Pauline Tunncliffe

**Management Committee for Pupil Referral Service**

Cllrs Robert Evans & Stephen Wells



**Bromley College of Further and Higher Education Governing Body**

One representative

(v) **Environment Appointments**

**Green Chain Joint Committee**

Cllrs William Huntington-Thresher & Colin Smith

**London Road Safety Council**

Cllr William Huntington-Thresher

**Southern Regional Flood Defence Committee**

*(Joint representative for Bromley/Bexley/Greenwich/Medway)*

Cllr Colin Tandy (LB Bexley)

(vi) **Renewal and Recreation Appointments**

**Bromley Arts Council**

Cllrs Reg Adams, Jane Beckley, Ellie Harmer and Alexa Michael

**The Crystal Palace Community Development Trust**

Cllr John Canvin

**Greater London Enterprise**

Cllr Peter Morgan

**London Youth Games**

Cllr Catherine Rideout

**Proactive Bromley**

Cllrs Catherine Rideout and Stephen Carr

**Orpington BID Board**

Cllr William Huntington-Thresher

(vii) **General Appointments**

**Biggin Hill Airport Consultative Committee**

*Representative of the Council as freeholder:*

Cllr Alexa Michael

Cllr Eric Bosshard (deputy)

*Representative of Biggin Hill Ward:*

Cllr Gordon Norrie

Cllr Julian Benington (deputy)

*Representative of Darwin Ward:*

Cllr Richard Scoates

Cllr Harry Stranger (deputy)

**Bromley Town Twinning Association**

Councillors Ruth Bennett, Jane Beckley and Ian Payne

**Affinity Sutton Group – London Regional Scrutiny Group**

Cllr Nicholas Bennett

**Community Links Bromley**

Cllr Judi Ellis & Ellie Harmer

**Bromley Healthcare Council of Governors**

Cllr Diane Smith

**(b) Three and four Year Appointments**

**Oxleas NHS Trust – Council of Governors**

*(Remainder of 3 year term to May 2015)*

Cllr Judi Ellis

**Nomination to London Councils for the Lee Valley Regional Park Authority** (Four year term)

Cllr Stephen Carr

# Agenda Item 7

## APPEALS SUB-COMMITTEE

Minutes of the meeting held at 9.30 am on 1 May 2013

### Present

Councillors Councillor Judi Ellis, Councillor Tony Owen  
and Councillor Charles Rideout CVO, QPM

#### 1 APPOINTMENT OF CHAIRMAN

**RESOLVED** that Councillor Judi Ellis be appointed Chairman of the meeting.

(Councillor Judi Ellis in the Chair).

#### 2 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies.

#### 3 DECLARATIONS OF INTEREST

There were no declarations.

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

#### 5 THIRD STAGE APPEAL AGAINST A DOMICILIARY CARE ASSESSED CHARGE

In accordance with established procedure, the Appeals Sub-Committee determined an appeal against an assessed weekly contribution towards Direct Payment costs paid to the appellant.

The Meeting ended at 10.55 am

Chairman

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# Agenda Item 9

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

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# Agenda Item 10

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

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