

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00 pm on 25 September 2013

Present:

Councillor Tony Owen (Chairman)
Councillor Russell Mellor (Vice-Chairman)
Councillors Nicholas Bennett JP, John Canvin,
Roger Charsley, Roxhannah Fawthrop, John Getgood,
Julian Grainger, Ellie Harmer, Gordon Norrie, Colin Smith,
Diane Smith, Tim Stevens JP and Michael Turner

116 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Charles Rideout – Councillor Colin Smith attended as his substitute.

117 DECLARATIONS OF INTEREST

Councillor Ellie Harmer declared an interest in agenda item 8 (Appointments to Outside Bodies) as she worked with Nash College in relation to allotments.

118 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 17th JULY 2013

RESOLVED that the minutes of the meeting held on 17th July 2013 be confirmed.

119 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

120 AUDIT OF FINANCIAL STATEMENTS 2012/13 Report RES13174

The Committee received the Council's 2012/13 statutory accounts for approval in accordance with the requirements of the Accounts and Audit (England) Regulations 2011. The report also detailed the conclusions and significant issues arising from the work carried out in relation to the audit of the 2012/13 accounts.

Katy Elstrup of PricewaterhouseCoopers LLP (PwC), the Council's external auditors, attended the meeting to update Councillors on their work. She informed the Committee that an objection to the accounts had been received on 20th September 2013 concerning the Council's parking enforcement contract. The objection was very brief, and further evidence had been requested by 27th September. Based on the information provided so far, the auditors were comfortable that the objection would not result in a material misstatement in the Council's accounts. In terms of dealing with the objection, PwC were required to follow detailed guidance issued by the Audit Commission. A detailed statement had been submitted by Council officers in response to the objection and, based on this information, PwC were still intending to sign the accounts on 30th September as planned. They might, however, be required to leave the completion certificate open while the objection was being investigated further.

The Committee was informed that the Council's legal view was that the issue raised in the objection was a matter of government policy rather than statute or regulation, and that there was no reason not to accept the recommendations in the report. A number of similar objections had also been made to a number of other authorities both in the current year and in previous years. The Statement of Responsibilities had been signed by the Director of Finance on the day of the meeting in the full knowledge that the objection had been made and was being considered by the auditors

In response to a question from a Member, it was confirmed that any surplus income from parking fines was required to be spent on parking, highways and transport matters, and that the Council did maintain a parking account for this purpose.

RESOLVED that

- (1) The Council's statutory accounts for 2012/13 be approved.**
- (2) In accordance with the requirements of the Accounts and Audit (England) Regulations 2011, following approval, the Chairman of this Committee shall sign and date the statutory statements on page 1 as a formal record of the Committee's approval.**
- (3) The external auditors' report be noted.**
- (4) Agreement with the auditors' conclusion on their independence and objectivity is confirmed.**
- (5) The Chairman of this Committee be authorised to sign the letter of representation for 2012/13 on behalf of the Council.**
- (6) The Annual Governance Statement which accompanies the statutory statement of accounts be approved.**

121 PUBLICATION OF INTERNAL AUDIT REPORTS
Report RES13164

Following consideration by the Executive and Resources PDS Committee, the Constitution Improvement Working Group at its meeting on 29th July 2013 had recommended that all Internal Audit reports should be published in full, except where particular exemptions applied. Even where there were exemptions, these would need to be justified to the Audit Sub-Committee and reviewed every six months.

RESOLVED that all Internal Audit Reports are published in full by default, except where exemptions apply, that Audit Sub-Committee is informed of the reasons for non-publication of any reports and that these be subject to review every six months.

122 SCRAP METAL DEALERS ACT 2013
Report ES13098

The Committee received a report outlining the provisions of the new Scrap Metal Dealers Act 2013 and requesting that the Executive Director of Environment and Community Services be authorised to undertake the necessary duties. The Act established a new licensing regime to be administered by local authorities. All scrap metal dealers would be required to have a licence, including motor salvage operators, and operating without one would be a criminal offence. There were two types of licence, a site licence and a collector's licence, and the Act specified that a dealer could only hold one type of licence in any local authority area. Charges for the new licences had recently been agreed by the Environment Portfolio Holder.

Members commented that the Council should ensure that the Environment Agency was robust in carrying out its duties in relation to scrap metal dealers' sites.

One amendment to the recommendations in the report was agreed to confirm that where revocation was being considered because the licensee was no longer a suitable person such cases would be determined by the Licensing Sub-Committee.

RESOLVED that

- (1) The Committee notes that the Scrap Metal Dealers Act 2013 is being brought in to force between 1 October and 1 December 2013 and that the Council has a duty to enforce it.**
- (2) The Licensing Sub Committee retains authority to determine applications where refusal to grant a licence is being considered and where revocation is being considered because the licensee is no longer a suitable person.**

- (3) The Executive Director of Environment and Community Services be authorised as set out in the report.**

123 APPOINTMENTS TO OUTSIDE BODIES
Report RES1366

The Council had received a request from Nash College, an independent specialist college in Hayes for disabled adults providing residential and day further education, for a local councillor to be appointed to their governing body.

RESOLVED that, subject to his agreement, Councillor Graham Arthur be nominated as the Council's representative on the governing body of Nash College.

124 RIGHTS OF WAY SUB-COMMITTEE - TERMS OF REFERENCE
Report RES13165

At its meeting on 10th July 2013 the Rights of Way Sub-Committee had asked this Committee to extend its terms of reference to include not only non-vehicular rights of way but also vehicular rights of way. The proposed amended terms of reference would read –

*“2.04 **Rights of Way Sub-Committee** (Membership proportional – may include one Member of the Executive from each recognised party group subject to Executive Members not being in the majority) – Functions relating to non-vehicular highway matters within the remit of the General Purposes & Licensing Committee and those vehicular highways within the terms of reference of the General Purposes and Licensing Committee, associated with routes shown, or capable of being shown, on the Definitive Map of Public Rights of Way.”*

RESOLVED that the terms of reference of the Rights of Way Sub-Committee be extended to include those non-vehicular highways within the terms of reference of this Committee associated with the routes shown, or capable of being shown, on the Definitive Map of Public Rights of Way, as set out above.

125 RIGHTS OF WAY SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 10TH JULY 2013

The Committee received the minutes of the meeting of the Rights of Way Sub-Committee held on 10th July 2013.

**126 ECHS DEPARTMENT PAY POLICY FOR CENTRALLY BASED
TEACHING STAFF**
Report ED13092

The Committee agreed to accept this report as a matter of urgency in order for the Council to have in place a pay policy setting out the arrangements for all centrally based teaching staff from 1st September 2013, which would not otherwise be possible until the Committee's next scheduled meeting on 4th February 2014.

From 1st September 2013 revised arrangements came into force in relation to Teachers Pay and conditions through the publication of the statutory 2013 School Teachers' Pay and conditions document. Significant changes had been made for 2013 and a new policy was proposed which was consistent with the statutory requirements and the principles of Building a Better Bromley. The proposals had been scrutinised by the Education PDS Committee on 17th September 2013.

RESOLVED that the report and the model pay policy be noted and approved as recommended.

The Meeting ended at 7.16 pm

Chairman