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DATE: 12 March 2018

To: Members of the

GENERAL PURPOSES AND LICENSING COMMITTEE

Councillor Ian F. Payne (Chairman)

Councillor Stephen Wells (Vice-Chairman)

Councillors Vanessa Allen, Nicholas Bennett J.P., Kim Botting FRSA, Alan Collins, Mary Cooke, Ellie Harmer, David Livett, Tony Owen, Charles Rideout QPM CVO, Tim Stevens, Teresa Te, Pauline Tunnicliffe and Michael Turner

A meeting of the General Purposes and Licensing Committee will be held at Bromley Civic Centre on **TUESDAY 20 MARCH 2018 AT 7.00 PM**

MARK BOWEN

Director of Corporate Services

Copies of the documents referred to below can be obtained from
<http://cds.bromley.gov.uk/>

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 6TH MARCH 2018**
(Pages 3 - 10)
- 4 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

In accordance with the Council's Constitution, questions to the Chairman of 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 Wednesday 14th March 2018.

- 5 LOCAL PENSION BOARD – APPOINTMENT OF BOARD MEMBERS**
(Pages 11 - 24)
- 6 COUNCILLOR IT REQUIREMENTS**
(To follow)

7 WORK PROGRAMME
(Pages 25 - 28)

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

**9 LOCAL PENSION BOARD -
APPOINTMENT OF BOARD MEMBERS -
PART 2 APPENDIX**
(Pages 29 - 32)

Information relating to any individual.

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GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00 pm on 6 February 2018

Present:

Councillor Ian F. Payne (Chairman)
Councillor Stephen Wells (Vice-Chairman)
Councillors Vanessa Allen, Graham Arthur, Alan Collins,
Robert Evans, Ellie Harmer, David Livett,
Charles Rideout QPM CVO, Tim Stevens, Teresa Te,
Pauline Tunnicliffe and Michael Turner

Also Present:

Councillor Simon Fawthrop and Councillor Peter Fookes

308 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Nicholas Bennett (Councillor Robert Evans substituted), Councillor Mary Cooke (Councillor Graham Arthur substituted) and Councillors Kim Botting, Tony Owen and Pauline Tunnicliffe.

309 DECLARATIONS OF INTEREST

Councillor Stephen Wells declared an interest as a member of the Fostering and Adoption Panel in relation to the report on Member Allowances, but it was confirmed that all Members were able to participate in this item.

Mark Bowen, Director of Corporate Services, declared an interest in the Licensing Update report as he was also employed in the Gambling industry.

310 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 28TH NOVEMBER 2017

RESOLVED that the minutes of the meeting held on 28th November 2017 be confirmed.

311 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

312 VOTER ID PILOT SCHEME
Report CSD18024

The Committee received an update on the Voter ID Pilot Scheme and changes to polling places to be used at the local council elections on 3rd May 2018.

Councillor Vanessa Allen had submitted a number of detailed questions in advance of the meeting – officers provided the following responses –

(1) Acceptable forms of ID (paragraph 3.4 of the report) – There is no mention of any benefits related documents which might be suitable for ID purposes. Was this discussed at all?

This would be considered as part of the review – the acceptable documents were the same as were used to register.

(2) No ID (paragraph 3.7) – Will this form part of the public awareness campaign as a paper document as well as being available on the website?

Information would be focussed on the Council website, but paper information would also be available.

(3) Public awareness (paragraph 3.10) – Given the size of the borough the number of posters, billboards etc seems inadequate. It would be useful to know where they will be sited but I would like to see more posters and billboards generally. Would you consider information being displayed in places like libraries, sports venues, colleges and post offices for example?

The Chairman suggested that all Councillors should play a part in raising awareness, and that a range of community venues including doctors' surgeries, places of worship and community centres should be used for publicity.

(4) Direct communications (paragraph 3.11) – Is the poll card being redesigned to emphasise its importance?

It was confirmed that there was a fundamental re-design of the polling card. Bar codes were being trialled in some other pilots, but not in Bromley.

(5) Hard to reach groups – There is no specific mention of translation of information, has this been taken into account? Is it possible to see the Equality Impact Assessment?

Information had to be produced in English by statute, but translations would be produced.

(6) Training of Poll Staff – Will more people be required at polling stations than previously, and how can you ensure there will be sufficient suitably trained staff? Concern was expressed at previous meetings about recruitment

issues, prior to knowing about this Voter Identification Scheme, presumably more staff are needed than would have been the case if Bromley was not part of this pilot?

There would be additional staff in polling stations to manage the checking of ID. Additional polling staff were being recruited from Kent (where there were no elections this year) and all staff would receive training.

(7) As side issue really, but please can we have an update on the registration process, how many times people will be visited, the percentage registered etc?

It was confirmed that the deadline for registration, which was set by statute, was 17th April 2018 - registration levels were already very high in Bromley at around 97%. Since individual registration had started, the Council was aware of about 240 residents who had struggled to find the relevant identification documents and these would be targeted for additional assistance. People requiring a Certificate of Identity would need to attend the Council offices.

The Cabinet Office was funding the additional costs of running the pilot and had set up a network so that all the pilot authorities could remain in touch and learn from each other. There would be more observers in evidence checking on how the arrangements worked on polling day. At least one political party had asked to be supplied with literature about the pilot, and officers were checking with the Cabinet Office whether this was appropriate. A Member asked whether information was available in braille – this would be checked – and holding roadshows was suggested.

RESOLVED that the report be noted.

313 2018/19 PAY AWARD

Under the local terms and conditions of employment framework, the Committee was required to make a recommendation on officer pay awards to full Council. The annual pay review was now part of the Council's budget planning process – this was a key driver for coming out of the national/regional pay negotiating frameworks. The 2% proposed was comparable to the national offer, plus it was proposed that the £200k pot for merit awards would continue.

Joint documents submitted by the Trades Unions (Unison, Unite and the GMB) setting out their pay demands had been circulated. A Member proposed that the Council should increase the salaries of the lowest paid workers so that no salaries were below the London Living Wage, and accept the Trades Unions' claim, but this was not seconded.

The number of staff earning less than the non-statutory London Living Wage was small, and included six apprentices. These were mainly part-time posts.

RESOLVED that

(1) Full Council be recommended to approve the following:

(i) A flat 2% pay increase for all staff (excluding teachers who are covered by a separate statutory pay negotiating process)

(ii) That the Trade Union's claims including the revised pay claim for staff be rejected (see para 2.3 and 3.6 below)

(2) It is noted a that, as in the previous years since coming out of the nationally/regionally negotiated frameworks, Bromley staff will receive the 2018/19 pay increase in time for the April pay.

(3) The Unions' revised summary pay claim be noted:

(i) For staff on pay bands currently above £19,000 FTE PA, a 2% increment.

(ii) For staff on pay bands currently between £17,000 - £19,000 FTE PA, a further consolidated lump sum uplift of £600.

(iii) For staff on pay bands currently between £16,000 - £17,000 FTE PA, a further consolidated lump sum uplift of £800.

(iv) For staff on pay bands below £16,000 FTE PA, a further consolidated lump sum uplift of £1,000.

314 PAY POLICY STATEMENT 2018/19

Under the Localism Act 2011 the Council was required to publish a Pay Policy Statement which had to be approved by full Council each year. The Committee considered the Pay Policy Statement for 2018/19.

RESOLVED that Council be recommended to approve the 2018/19 Pay Policy Statement.

315 LICENSING UPDATE FEBRUARY 2018
Report ES18016

The Committee received an update on key licensing issues, including the appeal against the Licensing Sub-Committee's decision on 210 High Street, Beckenham.

The number of licensing applications had fallen in recent years (from 77 in 2015 to 52 in 2017), and although objections were still being received to most new applications or major variations the Licensing Team were seeking to mediate and resolve concerns, meaning that considerably fewer Sub-Committee hearings were required. The Committee were asked to consider

whether the mediation approach should continue, and whether a regular schedule of Licensing Sub-Committee meetings was still needed.

RESOLVED that

(1) The current approach being taken by officers to undertake mediation in response to representations against licensing applications should continue.

(2) In view of the significant reduction in the number of Licensing Sub-Committee meetings needed, meetings should be set up on an ad hoc basis rather than following a set programme.

(3) The position regarding an appeal against a Licensing Sub-Committee decision relating to 210 High Street, Beckenham be noted.

316 MEMBERS ALLOWANCES SCHEME 2018/19
Report CSD18007

The regulations governing Members' Allowances required that, before the beginning of each financial year, the Council had to make a scheme of allowances for that year and the report details the proposed allowances for 2018/19. The allowances had remained frozen since 2009 due to the economic circumstances and the pressure on the Council's budgets, and this was reflected the proposed scheme at Appendix 2 to the report. The Mayoral and Deputy Mayoral Allowances were not part of the scheme, but were usually considered in conjunction with it. The report also referred to the latest report (published January 2018) of the Independent Panel on Remuneration of Councillors in London.

The Committee was satisfied with the main proposals in the Scheme, but discussed options for the payment of allowances relating to service on the Licensing Sub-Committee and the Adoption and Fostering Panel. The workload of the Licensing Sub-Committee had declined in recent years, and it was considered that the current flat rate payment of £670 was no longer needed. A proposal to remove the allowance altogether was rejected, but it was proposed that, to reflect the more occasional nature of the meetings, a payment of £50 per meeting be paid instead. The Committee also considered whether meetings needed to be held during the day; there was no legal reason why meetings had to be in the daytime, but it was recognised that this was probably helpful for the majority of applicants and other parties.

The Fostering and Adoption Panels had recently been combined into one Panel with a higher workload and more frequent meetings, up to three per month. However, Members were being asked to attend on a rota basis and it was unclear at this early stage what the actual burden on individual Members would be. Various suggestions were made, but it was agreed that a payment of £200 per meeting would be appropriate, capped at £3,575 per annum, and payable at six month intervals to reduce administration. The cost would be contained within the overall Members Allowances budget.

RESOLVED that Council be recommended to approve the Mayoral and Deputy Mayoral Allowances and the Members Allowances Scheme 2018/19 as set out in the report, with the following amendments –

(a) The allowance of £335 for membership of the Licensing Sub-Committee be replaced with a payment of £50 per meeting payable at the end of the Council year.

(b) The allowances of £670 for membership of the former Fostering and Adoption Panels be replaced with a payment of £200 per meeting payable every six months, capped at £3,575 per annum.

317 EXECUTIVE ASSISTANTS - ANNUAL REPORT 2017/18
Report CSD18008

As part of consideration of the Members' Allowances Scheme the Committee received annual reports from Executive Assistants summarising their work during 2017/18.

RESOLVED that the report be noted.

318 PROGRAMME OF MEETINGS 2018/19
Report CSD18009

The Committee approved the proposed programme of meetings for 2018/19.

RESOLVED that

(1) The programme of meetings for 2018/19 be approved.

(2) The Director of Corporate Services be authorised to adjust the programme in accordance with any changes to committees made by Members and to make minor corrections to the programme as necessary.

319 APPOINTMENT OF HONORARY ALDERMEN AND HONORARY FREEMAN
Report CSD18022

The Committee received a report setting out proposals for the appointment of an Honorary Freeman and six Honorary Aldermen (further details were set out in a part 2 appendix.)

RESOLVED that the proposed appointments of an Honorary Freeman and Honorary Aldermen be recommended to Council.

320 WORK PROGRAMME 2017/18
Report CSD18010

The Committee considered its work programme. A Member suggested that a further update on the Voter ID pilot should be made at the next meeting on 20th March.

RESOLVED that the work programme be noted.

321 PENSIONS INVESTMENT SUB-COMMITTEE: MINUTES OF THE MEETINGS HELD ON 26TH SEPTEMBER, 21ST NOVEMBER AND 14TH DECEMBER 2017, EXCLUDING EXEMPT INFORMATION

The draft minutes of the Pensions Investment Sub-Committee meetings held on 26th September 2017, 21st November 2017, and 14th December 2017, excluding exempt information, were received. Councillor David Livett claimed that the draft minutes of the meeting on 26th September 2017 needed to be amended; he was advised by the Chairman to raise this at the next meeting of the Pensions Investment Sub-Committee when the minutes were due to be confirmed.

322 AUDIT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 8TH NOVEMBER 2017, EXCLUDING EXEMPT INFORMATION

The draft minutes of the Audit Sub-Committee meeting held on 8th November 2017, excluding exempt information, were received.

323 APPEALS SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 20TH NOVEMBER 2017, EXCLUDING EXEMPT INFORMATION

The draft minutes of the Appeals Sub-Committee meeting held on 20th November 2017, excluding exempt information, were received.

324 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.

The following summaries
refer to matters
involving exempt information

**325 EXEMPT MINUTES OF THE MEETING HELD ON 12TH
SEPTEMBER 2017**

RESOLVED that the exempt minutes of the meeting held on 12th September 2017 be confirmed. (These minutes had been circulated late for the previous meeting, and so had not been signed then.)

**326 PENSIONS INVESTMENT SUB-COMMITTEE: EXEMPT
MINUTES - 21ST NOVEMBER AND 14TH DECEMBER 2017**

The exempt minutes of the meetings of the Pensions Investment Sub-Committee held on 21st November 2017 and 14th December 2017 were received.

**327 AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 8TH
NOVEMBER 2017**

The exempt minutes of the Audit Sub-Committee meeting held on 8th November 2017 were received.

**328 APPEALS SUB-COMMITTEE: EXEMPT MINUTES 20TH
NOVEMBER 2017**

A summary of the exempt minutes of the Appeals Audit Sub-Committee meeting held on 20th November 2017 was received, and Members noted that one issue was to be referred to the Care Services PDS Committee.

The Meeting ended at 8.16 pm

Chairman

Report No.
FSD18034

London Borough of Bromley

PART ONE - PUBLIC

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

Date: **Tuesday 20 March 2018**
Monday 9 April 2018

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

Title: **LOCAL PENSION BOARD – APPOINTMENT OF BOARD MEMBERS**

Contact Officer: David Kellond, Pensions Manager
Tel: 020 8461 7503 E-mail: David.Kellond@bromley.gov.uk

Chief Officer: Director of Finance

Ward: (All Wards);

1. Reason for report

- 1.1 This report seeks the required approval for the appointment of new Employer Representatives to the Local Pension Board following the resignation of the two previous members.
 - 1.2 This report also seeks agreement for amendments to the Local Pension Board Terms of Reference.
-

2. **RECOMMENDATION(S)**

2.1 The General Purposes and Licensing Committee is requested to:

- (i) note that Brian Toms and Jane Harding have resigned as Employer Representatives on the Local Pension Board;
- (ii) nominate the two Employer Representatives to be recommended to Council for appointment (paragraph 3.8);
- (iii) formally approve changes to the Local Pension Board Terms of Reference (paragraph 3.13).
- (iv) approve the revised terms of reference (appendix 1)

Recommend that Council

- (i) subject to recommendation (ii) formally appoint the two Employer Representatives to the Local Pension Board.

Corporate Policy

1. Policy Status: Existing Policy: The Council's pension fund is a defined benefit scheme operated under the provisions of the Local Government Pension Scheme (LGPS) Regulations, for the purpose of providing pension benefits for its employees.
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not applicable:
 3. Budget head/performance centre: Any costs associated with the reimbursement to Board Members of directly incurred expenses are chargeable to the Pension Fund
 4. Total current budget for this head: £38.3m expenditure (pensions, lump sums, etc); £41.9m income (contributions, investment income, etc); £998.0m total fund market value at 31st December 2017)
 5. Source of funding: Contributions to Pension Fund
-

Personnel

1. Number of staff (current and additional): The Local Pension Board comprises of 2 Employer Representatives and 2 Member Representatives. The Board is supported by the Pensions Manager.
 2. If from existing staff resources, number of staff hours: n/a
-

Legal

1. Legal Requirement: Statutory Requirement: The Local Government Pension Scheme Regulations 2013 (as amended)
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: n/a
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Estimated number of users/beneficiaries (current and projected): 6,089 current employees; 5,181 pensioners; 5,453 deferred pensioners as at 31st December 2017
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 At its meeting on 27th May 2015 the General Purposes and Licensing Committee formally appointed two Member Representatives to the Local Pension Board (LPB) (Glenn Kelly and Lesley Rickards). Following the resignation of Glenn Kelly from the Board, the Committee appointed a replacement Member Representative (Tony Conboy) at its meeting on 14th September 2016. Mr Conboy then resigned from the Board and Geoffrey Wright was appointed as a replacement by the Committee at its meeting on 28th November 2017.
- 3.2 At the meeting of the General Purposes and Licensing Committee on 27th May 2015, it was agreed to recommend to Council the appointment of Brian Toms and Jane Harding as the two Employer Representatives to the LPB for a period of three years from 1st July 2015. Council subsequently approved their appointment at its meeting on 29th June 2015.
- 3.3 In November 2017 the two appointed Employer Representatives (Brian Toms and Jane Harding) resigned from the LPB. Two new Employer Representatives are therefore required to be appointed.
- 3.4 In accordance with Regulation 107 of the Local Government Pension Scheme (LGPS) Regulations 2013, the Board must consist of an equal number of Employer and Scheme Member Representatives with a minimum number of four in total. In line with the Council's approved composition and, as set out in the Terms of Reference, Bromley's LPB is made up of two Employer and two Member representatives. Currently the Board has only two Member Representatives.
- 3.5 In line with the current Terms of Reference the process for appointing new members to the LPB is as follows:
- **Member Representatives** - expressions of interest are sought from the Departmental Representatives and relevant Trade Unions with further nominations sought via an advert placed on the Council's website and by way of a written appeal to all scheduled and admitted bodies. Where the number of Expressions of Interest exceed the number of vacant roles on the Board, candidates are considered, shortlisted and interviewed by an appointments panel who will then make recommendations to the General Purposes and Licensing Committee to formally appoint. The appointments panel consists of the Chief Accountant, the Pensions Manager and an officer from Human Resources.
 - **Employer Representatives** - nominations are sought from all fund employers including the London Borough of Bromley. Formal appointments are then made by full Council on the recommendation of the General Purposes and Licensing Committee. Employer Representatives must be nominated by a Scheme Employer within the Bromley Fund. Should the Employer they are representing wish to withdraw their nomination, they will no longer be eligible to sit on the Board.
- 3.6 Following the resignation of the two Employer Representatives in November 2017, expressions of interest were sought for new Board members the following month. The window during which expressions of interest could be made remained open until 7th January 2018. Unfortunately, no expressions of interest were received. Subsequently, a further invitation for expressions of interest was extended in February 2018 and closed on 4th March 2018.

3.7 The response was again disappointing, but two expressions of interest were received from the following individuals:

- Pinny Borg (currently employed by LBB in the role of Senior Accountant)
- Josepha Reynolds (currently employed by LBB in the role of Strategic Commissioner)

The expression of interest forms are included elsewhere on the agenda as a confidential appendix to this report (appendix 2).

3.8 Both candidates appear keen on the role and have expressed an interest in the LGPS. Although the Regulations do not specify that Employer Representatives be employed by a scheme employer, both applicants are currently employed by the London Borough of Bromley. No nominations were received from other scheme employers. The General Purposes and Licensing Committee is therefore requested to nominate both applicants to act in the capacity of Employer Representatives and recommend that Council formally appoint.

3.9 Subject to Members approving the appointment of the two Employer Representatives, as detailed in paragraph 3.7 a meeting of the Local Pension Board is provisionally arranged for 10th April 2018.

3.10 The approved LPB Terms of Reference require that the term of office for all Board members is ordinarily a period of three years. However, where members leave the LPB mid-term, replacement members are appointed to serve the balance of the remaining 3 year period. The current term of office is due to expire on 30th June 2018.

3.11 As the appointments will not be confirmed until April 2018 the two new Board members would only serve for a period of three months before their term of office expires and the recently appointed new Member Representative would only serve for a period of seven months. In order to allow these newly appointed members a reasonable period to establish themselves on the Board it would seem reasonable to extend the term of office by one year to 30th June 2019. This would allow time for them to determine whether they wish to be considered for reselection and continue as Board members before the Council is required to advertise for expressions of interest for the second term of office. It will also allow a meeting of the Local Pension Board to take place this municipal year, following the postponement of the meeting scheduled in November 2017. This change requires an amendment to the current terms of reference.

3.12 Following informal feedback received from current and previous LPB members, it is felt that the provision for the Local Pension Board to only hold a single annual meeting may not always be sufficient. Although this is supported by an invitation to attend meetings of the Pension Investment Sub-Committee as observers, there are sometimes occasions when it is felt a further meeting of the LPB would be beneficial. It is therefore proposed that the Board be given a degree of flexibility allowing them to determine the frequency of meetings, up to a maximum of four in any one year. As a consequence, it is proposed that the LPB terms of reference be amended to enable this flexibility.

3.13 The required amendments identified in paragraphs 3.11 and 3.12 will necessitate the following changes to the LPB Terms of Reference:

- Current terms of reference – paragraph 7

The Local Pension Board shall meet on an annual basis to discharge its duties and responsibilities. Members of the Board are invited to attend the meetings of both the Pensions Investment Sub-Committee and the General Purposes and Licensing Committee as observers, to aid them in fulfilling their role.

- Amended terms of reference – paragraph 7

The Local Pension Board shall, at its discretion, meet up to a maximum of four times per annum, but no less than once per annum to discharge its duties and responsibilities. Members of the Board are invited to attend the meetings of both the Pensions Investment Sub-Committee and the General Purposes and Licensing Committee as observers, to aid them in fulfilling their role.

- Current terms of reference – paragraph 13

The term of office for all members of the Board is ordinarily a period of three years. However, where members leave mid-term, a replacement will be sought to complete the balance of that three year period. Members may at the end of their term, express the wish to be considered for reselection.

- Amended terms of reference – paragraph 13

The term of office for all members of the Board is ordinarily a period of four years. However, where members leave mid-term, a replacement will be sought to complete the balance of that four year period. Members may at the end of their term, express the wish to be considered for reselection.

3.14 A revised Terms of Reference reflecting the changes set out in this report is attached at Appendix 1.

3.15 Authority to agree changes to the Terms of Reference has previously been delegated to the Director of Finance in consultation with the Chairman of General Purposes and Licensing Committee and the Chairman of Pensions Investment Sub-Committee. The Director of Finance and the Chairman of both Committees have confirmed their agreement to the proposed amendments, subject to consideration by this Committee.

4. POLICY IMPLICATIONS

4.1 The Council's Pension Fund is a defined benefit scheme operated under the provisions of the Local Government Pension Scheme (LGPS) Regulations for the purpose of providing pension benefits for its employees.

5. FINANCIAL IMPLICATIONS

5.1 Although permitted under Regulations, Local Pension Board members are not paid an allowance. As set out in the terms of reference, remuneration for Board members will be limited to a refund of actual expenses incurred in attending meetings and training.

- 5.2 As the administering authority the Council is required to facilitate the operation of the Local Pension Board including providing suitable accommodation for Board meetings as well as administrative support, advice and guidance. This is currently done within existing in-house resources.
- 5.3 Any costs arising from the establishment and operation of the Local Pension Board are treated as appropriate administration costs of the scheme and, as such, are chargeable to the Pension Fund.

6. PERSONNEL IMPLICATIONS

- 6.1 All Local Government Pension Scheme employers and members must have an equal opportunity to be nominated to become Board members through an open and transparent process.

7. LEGAL IMPLICATIONS

- 7.1 The Public Service Pensions Act 2013 provides primary legislation for all public service schemes including the LGPS 2014. A requirement is the establishment of Local Pension Boards.
- 7.2 The LGPS (Amendment) (Governance) Regulations 2015 – were laid before Parliament on 28th January 2015 and came into force on 1st April 2015.

Non-Applicable Sections:	Personnel Implications, Impact on Vulnerable Adults and Children, Procurement Implications
Background Documents: (Access via Contact Officer)	Public Service Pensions Act 2013; Local Government Pension Scheme Regulations 2013; Local Government Pension Scheme (Amendment) (Governance) Regulations 2015; Local Pension Board – Appointment of Board Members, General Purposes and Licensing Committee and Council 27 th May and 29 th June 2015; Local Pension Board – Appointment of Board Members, General Purposes and Licensing Committee 14 th September 2016; Local Pension Board – Appointment of Board Member, General Purposes and Licensing Committee 28 th November 2017;



The London Borough of Bromley

Local Pension Board

Terms of Reference

Terms of reference for the Local Pension Board of the London Borough of Bromley Pension Fund

1. This document sets out the terms of reference for the Local Pension Board of the London Borough of Bromley Pension Fund as required by the Public Service Pensions Act 2013 and the Local Government (Amendment) (Governance) Regulations 2014.

Scheme Management

2. The London Borough of Bromley, as administering authority, is the Scheme Manager. Its functions are discharged in accordance with the Council's scheme of delegation by:
 - General Purposes and Licensing Committee
 - Pensions Investment Sub-committee (Sub-committee to the General Purposes and Licensing Committee)
 - Director of Finance

The Local Pension Board

3. The role of the Local Pension Board is to:

Assist the London Borough Bromley, as the administering authority

 - to secure compliance with the scheme regulations and other legislation relating to the governance and administration of the scheme;
 - to secure compliance with requirements imposed in relation to the scheme by the Pensions Regulator;
 - in undertaking any relevant work as requested;
 - in such other matters as the scheme regulations may specify.
4. The Local Pension Board will ensure that the Code of Practice on governance and administration issued by the Pensions Regulator is complied with. The Board will also ensure that it complies with the knowledge and understanding requirements in the Pensions Regulator's Code of Practice.
5. The Local Pension Board is accountable to the Pensions Regulator, the National Scheme Advisory Board and the Administering Authority in their role as Scheme Manager. The National Scheme Advisory Board will advise both the Department for Communities and Local Government (DCLG) and the Bromley Pension Fund. The Pensions Regulator will report to DCLG but will also be a point of escalation for the Local Pension Board for matters such as whistle blowing or similar issues (supplementary to the whistle blowing policy and anti- fraud and corruption policies operated by the administering authority).

6. The principal functions of the Local Pension Board shall include, but not be limited to:
- Reviewing decision making processes, policies and procedures to ensure they are compliant with relevant Regulations;
 - Seeking assurance that these are followed and adhered to with regard to Pensions decisions;
 - Seeking assurance that administration performance is in compliance with the Council's performance framework and that monitoring arrangements are adequate and robust;
 - Considering the effectiveness of communication with employers and scheme members including a review of the Communication Strategy;
 - Considering and commenting on internal audit recommendations and external auditor reports.

Any complaint or allegation of a breach of the Regulations brought to the attention of the Local Pension Board shall be dealt with in accordance with the Code of Practice as published by the Pensions Regulator.

Frequency and Notice of Meetings

7. The Local Pension Board shall, at its discretion, meet up to a maximum of four times per annum, but no less than once per annum to discharge its duties and responsibilities. Members of the Board are invited to attend the meetings of both the Pensions Investment Sub-Committee and the General Purposes and Licensing Committee as observers, to aid them in fulfilling their role.
8. To ensure that the Local Pension Board can effectively undertake its role, it would be expected that all papers considered by the Pensions Investment Sub-Committee and, where relevant, the General Purposes & Licensing Committee (including papers considered to be confidential) are made available to the Local Pension Board. If in exceptional circumstances, those Committee's considered that this was not possible or not appropriate then the Local Pension Board will be provided with an explanation why this is the case.
9. The Pensions Manager shall give notice to all Local Pension Board members of each meeting of the Board, including the date, location and time of the meeting and shall ensure that a formal record of the Local Pension Board proceedings is maintained.
10. Papers will be provided at least one week before each of the formal Local Pension Board meetings.
11. All agendas and non-confidential Local Pension Board papers and minutes of meetings will be published on the London Borough of Bromley website, together with the Board Terms of Reference and details of the Board membership.

Membership

12. The Local Pension Board shall consist of 4 members and be constituted as follows:

Number	Constituency	Definition / Constraints
2	Employer	To represent all employers within the fund
2	Scheme Member	To represent all members of the scheme (active, deferred and pensioner)

13. The term of office for all members of the Board is ordinarily a period of four years. However, where members leave mid-term, a replacement will be sought to complete the balance of that four year period. Members may at the end of their term, express the wish to be considered for reselection.
14. Local Pension Board members must meet key training requirements to retain their membership during this period.
- a member must attend all meetings of the Board.
 - the training plan produced by the Pensions Manager must be complied with by each member.
 - the Pension Regulator's Code of Practice must be complied with.
15. All employers and members within the Bromley Fund must have an equal opportunity to be nominated for the role of employer and member representative respectively.
16. For the purpose of appointing employer representatives to the Board, nominations will be sought from all fund employers including the London Borough of Bromley. Formal appointments will then be made by full Council.
17. For the purpose of appointing member representatives to the Board, expressions of interest will be sought from the Departmental Representatives of the London Borough of Bromley and from the relevant Trade Unions (GMB, Unite and Unison). With further nominations being sought via an advert placed on the Council's website and by way of a written appeal to all scheduled and admitted bodies. Where the number of Expressions of Interest exceed the number of vacant roles on the Board, candidates will be considered, shortlisted and interviewed by an appointments panel who will then make recommendations to the General Purposes and Licensing Committee to formally appoint. The appointments panel will consist of the Chief Accountant, the Pensions Manager and an officer from Human Resources.
18. A Local Pension Board member acting as an employer representative must be nominated by a Scheme Employer within the Bromley Fund. Should the Employer they are representing wish to withdraw their nomination, they will no longer be eligible to sit on the Board.

19. In the event of non-attendance of a Board member, or for failure to meet with training requirements as set out in (14) above, the tenure of that membership will be reviewed. In the case of a member representative, this will be done by the appointments panel who may make recommendation to General Purposes and Licensing Committee for the membership to be revoked if considered necessary. In such event, there will be a right of appeal to the Director of Finance prior to any recommendation. In the case of an employer representative, any such decision will be considered by Council.
20. If an employer or scheme member representative wishes to resign they must write to the Pensions Manager, giving at least one months' notice.
21. In the event of the death of a Board member, a replacement will be sought for the remainder of the term of office, in the ways set out in paragraphs 16 and 17, dependant on whether an employer or member representative is being sought.
22. The Chairperson of the Local Pension Board will be rotated on an annual basis between a member representing employers and those representing scheme members.
23. It will be the role of a representative acting as Chairperson to
 - Agree and set the agenda for a meeting of the Board
 - Manage the meetings to ensure that the business of the meeting is completed in the agreed time
 - Ensure that all members of the Board show due respect for process and that all views are fully heard and considered
 - Strive as far as possible to achieve a consensus as an outcome
 - Ensure that the actions and rationale for decisions taken are clear and properly recorded.
24. Personal attendance is expected of all Board members, at all meetings with no provision for a substitute.
25. The Board may, with the approval of the Chief Accountant, co-opt persons who are not members to aid the Board for a period of time or for a specific task where this would provide additional skills, knowledge or experience. The co-opted members would not be permitted to vote.

Quorum

26. Three of the four Board members must be present for a meeting to be quorate. If the Chairperson is absent at a meeting and there is a quorum then the attending members must choose a Chairperson to preside over that meeting.

Knowledge and Skills

27. A member of the Pension Board must become conversant with
 - The legislation and associated guidance of the Local Government Pension Scheme (LGPS).
 - Any policies, procedures or decision making processes about the administration of the LGPS adopted by the London Borough of Bromley Pension Fund.
28. It is for individual Pension Board members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions as a member of the Pension Board.
29. Pension Board members are required to be able to demonstrate their knowledge and understanding and to refresh and keep their knowledge up to date. Pension Board members are therefore required to maintain a written record of relevant training and development.
30. Pension Board members will undertake a personal training needs analysis and regularly review their skills, competencies and knowledge to identify gaps or weaknesses.

Standards of Conduct and Conflicts of Interest

31. The role of the Local Pension Board members requires the highest standards of conduct and therefore the 'seven principles of public life' will be applied to all Local Pension Board members. Board members will be required to observe both, The Code of Conduct for Councillors and Co-Opted members and Data Protection policies of the London Borough of Bromley. The Board is required to always act within these terms of reference. In accordance with the Public Service Pension Act 2013 a Board member must not have a financial or other interest that could prejudice them in carrying out their Board duties. This does not include a financial or other interest arising merely by virtue of membership of the LGPS.
32. As such all members of the Pension Board will be required to declare any interests and any potential conflicts of interest in line with the requirements of the Public Service Pensions Act 2013 and The Pension Regulator's code. These declarations are required as part of the appointment process, as well as at regular intervals throughout a member's tenure.

Reporting

33. The Board is expected to produce a single Annual Report to the Pensions Manager which should include:
- A summary of the work of the Local Pension Board and a work plan for the coming year
 - Details of areas of concern reported to or raised by the Board and recommendations made
 - Details of any conflicts of interest that have arisen in respect of individual Local Pension Board members and how these have been managed
 - Any areas of risk or concern the Board wish to raise with the Scheme Manager
 - Details of training received and identified training needs
 - Details of any expenses and costs incurred by the Local Pension Board and any anticipated expenses for the forthcoming year.
34. Should the Board have concerns believed to be sufficiently serious that they should be reported at a higher level than is standard (to the Pensions Manager) they should report to the Chief Accountant or the Director of Finance. This may include, but not be limited to, occasions where the Board feel that previous recommendations have not been acted upon. In extreme cases such as a fundamental breach of Regulations or a fundamental failure by the Administering Authority to ensure effective governance of the fund, the Board may consider reporting to the National Scheme Advisory Board and/or the Pensions Regulator.

Expertise and Advice

35. It may be necessary for the Local Pension Board to draw on particular experts or expert groups to aid and support its responsibilities. This may include, but is not limited to, actuaries and lawyers. This will be done on an 'as required' basis, via the Pensions Manager. Any expert advisor attending a meeting of the Board is not a Board member and does not have a vote. The Board is not permitted to create sub-boards or working groups.

Below is a list of some of the potential advisers that may be considered appropriate to advise the Board.

- A Governance Adviser
- The Fund's Actuary
- The Fund's Administrator (external contractor)
- The Fund's Legal Adviser
- The Fund's Investment Manager(s)
- The Fund's Investment Adviser(s)
- The Pensions Manager

Remuneration

36. Remuneration for members of the Local Pension Board will be limited to a refund of actual expenses incurred in attending Board meetings and training. It is expected that employers of board members will provide appropriate capacity to allow the member to perform this role within their normal working day without any reduction to pay.

Expense claims should be submitted no later than 1 month following the incursion.

Publication of Local Pension Board Information

37. Up to date information will be posted on the London Borough of Bromley website showing:
- Names and information of the Local Pension Board members
 - How the scheme members and employers are represented on the Local Pension Board
 - Responsibilities of the Local Pension Board as a whole
 - Full terms of reference and policies of the Local Pension Board and how they operate
 - Local Pension Board appointment process

Review

38. These terms of reference will be formally adopted by the Board at its first meeting and be reviewed after the Board has been fully operational for a period of one year.

The Pensions Manager is authorised to make minor amendments, consequential upon statutory or regulatory change, or to update arrangements consequential on other external factors.

Report No.
CSD18058

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: 20th March 2018

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

Title: WORK PROGRAMME

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

1. Reason for report

1.1 This report summarises the Committee's role and sets out the Committee's proposed dates and work programme for the forthcoming 2018/19 Council year.

2. **RECOMMENDATION**

Members are requested to consider their work programme.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

1. Policy Status: Not Applicable:
 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: £343,810 (2017/18)
 5. Source of funding: 2018/19 revenue budget
-

Personnel

1. Number of staff (current and additional): 8 (6.87fte)
 2. If from existing staff resources, number of staff hours: Not applicable
-

Legal

1. Legal Requirement: Statutory Requirement: The Committee is responsible for non-executive functions as required by the Local Government Act 2000.
 2. Call-in: Not Applicable: This report does not involve an executive decision.
-

Procurement

1. Summary of Procurement Implications: Not applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not applicable
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not applicable

3. COMMENTARY

- 3.1 Bromley Council operates under a “Leader and Executive” constitutional model, with most decision making functions resting with the Executive. However, there are a number of functions which the Executive is prohibited from dealing with, for which Committees need to be appointed. In Bromley, the majority of these “non-executive” functions are the responsibility of Development Control Committee for town planning and related functions, and this Committee for most other non-executive functions, including licensing.
- 3.2 General Purposes and Licensing Committee fulfils the role of Licensing Committee under the 2003 Licensing Act, but also deals with a range of other non-executive functions that cannot be dealt with by the Executive or do not fall within the terms of reference of Development Control Committee. It therefore has a range of varied and sometimes unrelated responsibilities, including finance matters relating to audit and pensions, human resources, complaints, elections and Member appointments.
- 3.3 Unlike PDS Committees, the General Purposes and Licensing Committee has decision-making powers, many of which are delegated to a number of sub-committees. These sub-committees also have decision-making powers within their own terms of reference, and in most cases their minutes are reported up to the parent committee for information.
- 3.4 The Committee has six scheduled meetings in the year, including this one, the final scheduled meeting for 2017/18. The forthcoming meetings for the 2018/19 Council year, subject to the Committee being re-appointed, are set out in appendix 1, with the reports anticipated at each meeting.

Non-Applicable Sections:	Impact on vulnerable adults and children/Policy/Financial/Personnel/Legal/Procurement
Background Documents: (Access via Contact Officer)	None

General Purposes and Licensing Committee

Work Programme 2018/19

29th May 2018

Audit of Financial Statements 2017/18
Appointments to Outside Bodies
Licensing Update
Work Programme

25th July 2018

Gambling Policy
Licensing Update
Work Programme

26th September 2018

Complaints – Annual Ombudsman Letter
Local Elections 2018
Licensing Update
Work Programme

27th November 2018

Licensing Update
Work Programme

12th February 2019

Pay Award 2018
Programme of Meetings 2019/20
Pay Policy Statement 2019/20
Members Allowances 2019/20
Executive Assistants Reports 2018/19
Licensing Update
Work Programme

19th March 2019

Licensing Update
Work Programme

In addition, the Committee has previously asked for the following issues to be considered -

- Review of Member Appeals
- Information Security within Council Offices
- Boundary Commission – Ward Boundary Review
- Licensing and the Night time Economy (Joint meeting with PP&S PDS)

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

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