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DATE: 18 May 2018

To: Members of the

GENERAL PURPOSES AND LICENSING COMMITTEE

Councillor Pauline Tunnicliffe (Chairman)

Councillor Michael Turner (Vice-Chairman)

Councillors Marina Ahmad, Gareth Allatt, Vanessa Allen, Nicholas Bennett J.P.,
Mary Cooke, Robert Evans, Russell Mellor, Alexa Michael, Tony Owen,
Neil Reddin FCCA, Melanie Stevens, Harry Stranger and Stephen Wells

A meeting of the General Purposes and Licensing Committee will be held at Bromley Civic Centre on **TUESDAY 29 MAY 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 MEETINGS HELD ON 20TH MARCH AND 16TH MAY 2018**
(Pages 3 - 20)
- 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 Tuesday 22nd May 2018. Questions, replies and the names of questioners will be recorded in the minutes.

- 5 APPOINTMENTS TO OUTSIDE BODIES**
(Pages 21 - 30)

- 6 **SCHEME OF DELEGATION TO OFFICERS**
(To follow)

- 7 **WORK PROGRAMME 2018/19**
(Pages 31 - 38)

- 8 **PENSIONS INVESTMENT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 20TH FEBRUARY 2018, EXCLUDING EXEMPT INFORMATION**
(Pages 39 - 44)

- 9 **AUDIT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 7TH MARCH 2018, EXCLUDING EXEMPT INFORMATION**
(Pages 45 - 50)

- 10 **LOCAL JOINT CONSULTATIVE COMMITTEE - MINUTES OF THE MEETING HELD ON 5TH APRIL 2018**
(Pages 51 - 60)

- 11 **LOCAL PENSION BOARD: MINUTES OF THE MEETING HELD ON 10TH APRIL 2018**
(Pages 61 - 64)

- 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.

<u>Items of Business</u>	<u>Schedule 12A Description</u>
13 PENSIONS INVESTMENT SUB-COMMITTEE: EXEMPT MINUTES - 20TH FEBRUARY 2018 (Pages 65 - 70)	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
14 AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 7TH MARCH 2018 (Pages 71 - 74)	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00 pm on 20 March 2018

Present:

Councillor Ian F. Payne (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 and
Michael Turner

Also Present:

Councillor Keith Onslow

329 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies for absence.

330 DECLARATIONS OF INTEREST

There were no declarations of interest.

331 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 6TH MARCH 2018

A Member raised concerns about the non-availability of information about the pilot Voter ID scheme in other languages and suggested that this concern should be reported back to the Cabinet Office as part of feedback on the scheme. Most Members of the Committee considered that it would not be practical to produce material in a variety of languages unless there was a specified need, and the Chairman suggested that Members should be prepared to ask for translations for people in their wards where they knew that there was an issue. Another Member suggested that the parties could put information about the scheme in their election leaflets.

The Committee agreed that, in minute 319, the names of the people nominated as an Honorary Freeman and as Honorary Aldermen should now be included. It was also noted that Councillor Tunncliffe had sent apologies for the last meeting and should not have been listed as present.

RESOLVED that, subject to the amendments set out above, the minutes of the meeting held on 6th February 2018 be confirmed.

332 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Three questions for written reply had been received from Ellie Reeves MP. The replies are set out in Appendix A to these minutes.

333 LOCAL PENSION BOARD – APPOINTMENT OF BOARD MEMBERS
Report FSD18034

The report sought approval for the appointment of two new employer representatives to the Local Pension Board following the resignation of the two previous members. Details of the potential representatives were set out in a Part 2 appendix. It was also proposed that the Terms of Reference of the Local Pension Board be amended to allow the Board to meet at least once but up to four times per annum to discharge its duties (paragraph 7) and to change the term of office for all members of the Board from three years to four (paragraph 13).

Councillor Keith Onslow, Chairman of the Pensions Investment Sub-Committee, attended the meeting to support the proposals.

RESOLVED that

(1) It is noted that Brian Toms and Jane Harding have resigned as Employer Representatives on the Local Pension Board.

(2) Josepha Reynolds and Pinny Borg be nominated as the two Employer Representatives to be recommended to Council for appointment.

(3) The changes to the Local Pension Board Terms of Reference (paragraph 3.13) be approved.

(4) The revised terms of reference (appendix 1) be approved.

(5) Council be recommended to formally appoint the two Employer Representatives to the Local Pension Board.

334 COUNCILLOR IT PROVISION
Report CSD18056

At its meeting on 24th April 2014 the Council approved new arrangements for the provision of IT equipment to Members of the Council. The report updated the proposals for the new Council starting in May 2018, and in particular offered Members a wider choice of IT equipment than was available in 2014 – this would be an iPad, a laptop or a Windows 2-in-1 laptop/tablet. Information about the pros and cons of each option would be available to Members.

A Member suggested that Councillors using their own IT equipment at home to link to the Council system should have the facility to request home visits from a Council IT engineer. However, the potential cost of adding this to the IT support contract had been investigated and was likely to be in the region of £45k per annum, and most Members considered that this would not be necessary.

RESOLVED that the proposals for Councillor IT provision after the 2018 local election are noted.

335 WORK PROGRAMME
Report CSD18058

The Committee considered its work programme and the Chairman advised that he had asked for a review of the Member Allowances system to be carried out in the new Council year.

As this was the final meeting of the year and of the 2014/18 Council, the Chairman thanked Members for their support, and Councillor Charles Rideout led Members in thanking the Chairman and wishing him well in his new role.

336 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 summary
refers to matters
involving exempt information**

337 LOCAL PENSION BOARD - APPOINTMENT OF BOARD MEMBERS - PART 2 APPENDIX

The Committee considered a schedule containing details about potential members of the Local Pension Board.

The Meeting ended at 7.28 pm

Chairman

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**QUESTIONS FROM MEMBERS OF THE PUBLIC
(for written reply)**

1. From Ellie Reeves MP to the Chairman of the Committee

What information will the poll card feature regarding ID requirements?

Reply:

Detailed information about the Voter ID pilot, the forms of acceptable ID and what to do if a voter has no ID.

2. From Ellie Reeves MP to the Chairman of the Committee

What specific steps have the council taken to increase public awareness of the pilot scheme; including the circulation of postal literature and publicly displayed posters?

Reply:

See details in attached Briefing Note under Public Awareness.

3. From Ellie Reeves MP to the Chairman of the Committee

What measures have the Council undertaken to address accessibility issues during the scheme; including providing information in braille and foreign language formats?

Reply:

We have carried out a rigorous Equalities Impact Assessment and it has been scrutinised by the Cabinet Office and the Electoral Commission. This will be published in the next few days. We have identified any groups in the borough who may be at risk of not being able to provide the required ID in a polling station. We are working with partners to ensure that any barriers to participation are removed so that no eligible voter is disenfranchised or put off voting.

To date we have not been provided with any evidence based requests to translate material into other languages or had indications of what languages would be beneficial – but we continue to engage with local community groups as is set out in our public awareness briefing note.

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Briefing Note

Voter ID Pilot – Update

1. Voter ID Pilot Orders

The Pilot Orders for the five local authorities testing the production of ID at the polling stations on 3 May 2018, have now been published on the gov.uk website at the following individual links:

[Bromley](#)
[Gosport](#)
[Swindon](#)
[Watford](#)
[Woking](#)

From these Orders it can be noted that:

- Bromley has a wide range of forms of photographic and non photographic ID
- Gosport has range of forms of photographic and non photographic ID
- Woking has a photographic ID only
- Watford is using the poll card as the main form of ID with enhanced IT to scan – but those who turn up without their poll card have a total of 6 types of other ID (photographic and non photographic)
- Swindon is also using the poll card as the main form of ID with enhanced IT to scan – but those who turn up without their poll card have a total of 5 types of other ID (photographic only)

All pilot orders provide that locally ID documents can be produced where voters do not have acceptable forms of ID.

2. Public Awareness Campaign

As has previously been reported, there will be an extensive and targeted awareness raising campaign (designed and delivered by Bromley in partnership with the Cabinet Office and Electoral Commission) to make sure that every eligible elector knows they need to bring ID to a polling station to vote. .

The campaign started in January with the Council website being updated, our Customer Contact Centre being fully briefed, posters and leaflets being distributed in prime locations across the borough (including libraries, leisure centres, supermarkets, GP and dentist surgeries, places of worship, and many other community groups), social media (both Facebook and Twitter) being used and local press releases being issued.

We are now building on this in the lead up to the election, extending publicity throughout the borough through a number of different channels including Residents

Associations, Care Homes, Community Links, Bromley Mencap and local community magazines. In April there be posters in bus shelters and shopping centres, bill boards in railway stations, full page adverts in local newspapers, mobile ads and so on.

We are placing a particular emphasis on the hard to reach groups. Using the expertise that Community Links has built up working with these groups we are identifying where, in their view, groups may benefit from further face-to-face communication.

We have also persuaded the Cabinet Office to let us provide posters and leaflets to candidates, agents and local parties engaged in the election so they can help spread the message about bringing ID, as well.

In addition to the general campaign awareness campaign, there will be 5 direct communications with all households/electors in the borough through:

- Household Notification Letter (HNL) – despatched on 12 February 2018A5
- Post Card – despatched on 5 March 2018
- A5 Leaflet with Environmental Matters – being despatched 26 Feb to 11 March 2018
- A5 Leaflet with Council Tax Billing letter – being despatched 23 to 27 March 2018A4 Poll Card – being despatched 27 March 2018

All public awareness materials include the Councils website address where full details of the forms of acceptable ID and how to vote (by post, proxy and at the polling station) can be found.

Questions have been raised about providing materials in different formats. However, no evidence based request has been received seeking translation in to a particular language or format.

We are keeping the campaign under constant review to ensure that we are engaging with all the communities in the borough so that every eligible elector is able to identify themselves and vote on 3 May 2018.

3. Frequently asked Questions

We have put together a number of frequently asked questions in regard to the Voter ID Pilot and thought it may be useful to attach these to this report (see Appendix)

4. Changes to Polling Places

Following our report to Members on 6 February 2018, we received notification that premises at **St Michaels and All Angels Church** in Clock House ward (polling district CL2) would **not** be available to the Returning Officer for use as a polling station on 3 May 2018, due to major building works being undertaken.

Alternative premises were identified at **Avenue Road Baptist Church Hall, 94 Avenue Road** (situated close by) and a site visit was undertaken. We are pleased to advise Members that the premises are considered to be suitable and arrangements

have been put in place so that these premises will be used as the polling station for this polling district at these elections.

Information will be included on the poll cards to draw the change to the attention of the voters prior to polling day.

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APPENDIX

Voter ID Pilot, 3 May 2018

Frequently asked Questions

What ID can I bring?

To vote at a polling station in London Borough Bromley on 3 May 2018 you **must** take either **one** of the following:

- a passport issued by the United Kingdom, a Commonwealth country or a member state of the European Union
- a photocard driving licence (including a provisional licence) issued in the United Kingdom or by a Crown Dependency, or by a member State of the European Union
- an electoral identity card issued under section 13C (electoral identity card: Northern Ireland) of the Representation of the People Act 1983
- a biometric immigration document issued in the United Kingdom in accordance with regulations made under section 5 of the UK Borders Act 2007
- an identity card issued in the European Economic Area
- an Oyster 60+ London Pass
- a Freedom Pass (London)
- a PASS scheme card (national proof of age standards scheme)

Or **two** of the following (**one** of which **must** show your registered address):

- a valid bank or building society debit card or credit card
- a poll card for the poll
- a driving licence (including a provisional licence) which is not in the form of a photocard.
- a birth certificate
- a marriage or civil partnership certificate
- an adoption certificate
- a firearms certificate granted under the Firearms Act 1968
- the record of a decision on bail made in respect of the voter in accordance with section 5(1) of the Bail Act 1976
- a bank or building society cheque book
- a mortgage statement dated within 3 months of the date of the poll
- a bank or building society statement dated within 3 months of the date of the poll
- a credit card statement dated within 3 months of the date of the poll
- a utility bill dated within 3 months of the date of the poll
- a council tax demand letter or statement dated within 12 months of the date of the poll
- a Form P45 or Form P60 dated within 12 months of the date of the poll

My passport/photo driving licence has expired. Can I still use it?

Yes - as long as there is still a good likeness between the photo and the elector, expired passports and photo driving licences can be used.

My driving licence refers to my previous address. Can I use it?

Yes - as long as there is still a good likeness between the photo and the elector, it can still be used. The check in the polling station is to confirm the identity of the elector.

What if I cannot provide any of the ID listed above?

You can apply for a postal vote or a proxy vote **or** you can apply for a Certificate of Identity.

To apply for a Certificate of Identity you will need to complete an application form which will be available from 27 March 2018 **either** to download from this page **or** from Main Reception, Civic Centre, Stockwell Close, Bromley BR1 3UH.

Applications must be made in writing and include:

- the applicants full name
- the applicants registered address
- confirmation that the applicant would not be able to provide any of the documents listed above
- the date of the application
- a declaration by the applicant that the information provided in the application is true

The application must include an attestation in writing from a person of good standing in the community (examples are given on the form) and

- confirm that the applicant is the person named in the application.
- be signed by a person who the Returning Officer is satisfied is
 1. of good standing in the community
 2. registered as an elector in an electoral area in England and Wales
 3. is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant and
 4. has not already signed an attestation for or two or more applicants
- It should state the full name, date of birth, address, electoral number and occupation of the person signing the attestation
- State the date on which it is made

Completed applications must be submitted **in person** at Main Reception, Civic Centre, Stockwell Close, Bromley BR1 3UH by 5pm on Wednesday 2 May 2018.

Upon receipt of a successful application, a Certificate of Identity will be provided to the applicant for them to take to the Polling Station to enable them to vote.

What if I am acting as a proxy for someone else?

You, as the proxy, need to take **your** ID to the polling station. You do not need to take the elector's ID.

What is the procedure in the Polling Station?

- Go to the desk and give your ID to the staff
- Tell the staff your name and address and if your ID is acceptable, they will issue you with a ballot paper
- Take your ballot paper to the voting booth
- Read the instructions in the booth and mark your ballot paper
- When you have marked your ballot paper, fold it so that nobody can see how you have voted
- Put your folded ballot paper into the ballot box
- If you need any help, please ask the staff

How is Bromley Council going to inform people about the ID requirements?

It is essential that every eligible elector is made aware of the requirement to identify themselves before they can vote. They will be made aware of the need to do so by an extensive public awareness raising campaign designed and delivered by the Local Authority in partnership with the Cabinet Office and Electoral Commission.

What happens if people don't have ID? Will they be turned away?

The Cabinet Office is working with local authorities to make sure every eligible elector knows that they need to bring ID to a polling station to vote - there will be extensive and tailored awareness raising campaigns in each pilot authority and care will be taken to ensure that electors are able to provide adequate identification. If they are unable to do so they will not be able to vote.

What happens if I have a postal vote?

There is no change to the postal voting process. When you apply for a postal vote you provide 'personal identifiers' (a specimen of your signature and your date of birth) and these are used to confirm your identity when you complete your postal vote.

Why is Bromley taking part, but not other neighbouring local authorities?

The opportunity to pilot voter ID in May 2018 was offered on a number of occasions to all local authorities in Great Britain and a number have committed to do so.

How much will it cost and who is paying?

The pilots are being conducted to identify the exact impact of voter ID, including its cost, before it is introduced nationally. The additional costs will be fully funded by Cabinet Office.

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GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.59 pm on 16 May 2018

Present:

Councillor Pauline Tunnicliffe (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Marina Ahmad, Gareth Allatt, Vanessa Allen,
Nicholas Bennett J.P., Mary Cooke, Robert Evans,
Russell Mellor, Alexa Michael, Tony Owen,
Neil Reddin FCCA, Melanie Stevens, Harry Stranger and
Stephen Wells

Also Present:

Other Members of the Council

1 PROPORTIONALITY OF SUB-COMMITTEES

RESOLVED that the proportionality of Sub-Committees be agreed as follows –

	Size	Conservative	Labour	Independent
Audit Sub-Committee	7	6	1	0
Industrial Relations Sub-Committee	7	6	1	0
Local Joint Consultative Cttee	9	8	1	0
Pensions Investment Sub-Committee	7	6	1	0
Rights of Way Sub-Committee	7	6	1	0

2 MEMBERSHIP OF SUB-COMMITTEES

RESOLVED that the following Sub-Committees be appointed for the 2018/19 municipal year with the membership as agreed below.

(i) AUDIT SUB-COMMITTEE

	Councillors
1	Neil Reddin (Ch)
2	William Huntington-Thresher (VC)
3	Gareth Allatt
4	Robert Evans
5	Christopher Marlow
6	Tony Owen
7	Ian Dunn (LAB)

(ii) INDUSTRIAL RELATIONS SUB-COMMITTEE (to include Leader, Deputy Leader, Chairman and Vice-Chairman of the General Purposes and Licensing Committee.)

	Councillors
1	Colin Smith (Ch)
2	Peter Fortune (VC)
3	David Cartwright
4	Simon Fawthrop
5	Pauline Tunncliffe
6	Michael Turner
7	Josh King (LAB)

(iii) LOCAL JOINT CONSULTATIVE COMMITTEE (to include Leader or named Deputy, Chairman of Executive & Resources, Policy Development and Scrutiny Committee or named Deputy and Chairman of the General Purposes and Licensing Committee or named Deputy)

	Councillors
1	Russell Mellor (Ch)
2	Nicholas Bennett
3	David Cartwright
4	Simon Fawthrop
5	Kate Lymer
6	Colin Smith
7	Pauline Tunncliffe
8	Michael Turner
9	Josh King (LAB)
	(Other members to be appointed by the Staff-side.)

(iv) PENSIONS INVESTMENT SUB-COMMITTEE

	Councillors
1	Keith Onslow (Ch)
2.	Russell Mellor (VC)
3	Gareth Allatt

4	Simon Fawthrop
5	David Jefferys
6	Gary Stevens
7	Simon Jeal (LAB)

(v) RIGHTS OF WAY SUB-COMMITTEE

	Councillors
1	Michael Rutherford (Ch)
2	Mike Botting (VC)
3	Harry Stranger
4	Michael Tickner
5	Michael Turner
6	Stephen Wells
7	Vanessa Allen (LAB)

3 APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF SUB-COMMITTEES

RESOLVED that the following Councillors be appointed as Chairman and Vice-Chairman of the Sub-Committees of the General Purposes and Licensing Committee.

(1) Audit Sub-Committee

Councillor Neil Reddin and Councillor William Huntington-Thresher

(2) Industrial Relations Sub-Committee

Councillor Colin Smith and Councillor Peter Fortune

(3) Local Joint Consultative Committee

Councillor Russell Mellor

(4) Pensions Investment Sub-Committee

Councillor Keith Onslow and Councillor Russell Mellor

(5) Rights of Way Sub-Committee

Councillor Michael Rutherford and Councillor Mike Botting

4 APPOINTMENT OF APPEALS SUB-COMMITTEE

RESOLVED that

(1) All Members of the Council, except Executive Members, be eligible for appointment to the Appeals Sub-Committee.

(2) Three Members be drawn as required, to constitute an Appeals Sub-Committee.

(3) The Chairman be appointed at each meeting of the Appeals Sub-Committee.

5 APPOINTMENT OF LICENSING SUB-COMMITTEE

RESOLVED that

(1) All Members of the General Purposes and Licensing Committee be eligible for appointment to the Licensing Sub-Committee.

(2) Three Members be drawn as required, to constitute a Licensing Sub-Committee.

(3) The Chairman be appointed at each meeting of the Licensing Sub-Committee.

The Meeting ended at 8.00 pm

Chairman

Report No.
CSD18079

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: Tuesday 29 May 2018

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

Title: APPOINTMENT OF REPRESENTATIVES TO SERVE ON 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 Corporate Services

Ward: N/A

1. Reason for report

- 1.1 This report requests that the Committee, on behalf of the Council, considers the appointment of Council representatives to serve on outside bodies and partnerships. Most appointments are made annually, following the municipal year, but some are for three or four year terms.
-

2. **RECOMMENDATION**

The Committee is recommended to consider the nominations made by party groups in Appendix 1 and make appointments to outside bodies and partnerships, and in particular to decide which councillors to appoint where there are more nominations than places available.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not applicable
-

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: £350,650
 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: None:
 2. Call-in: Not Applicable:
-

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? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

- 3.1 The Committee is asked to make various appointments to partnerships and outside bodies. Most appointments are annual and follow the Council year, but there also a small number of longer appointments that run for three or four years.
- 3.2 Nominations have been sought from all party groups. Nominations have been received from the Labour and Independent Groups and these are attached in Appendix 1. Nominations are awaited from the Conservative Group and will be circulated when they are available.

Non-Applicable Sections:	Impact on Vulnerable Adults and Children/Policy/ Financial/Legal/Personnel/Procurement
Background Documents: (Access via Contact Officer)	2017 Outside Bodies report (GP&L, 23/5/17)

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LONDON BOROUGH OF BROMLEY
ANNUAL APPOINTMENTS TO OUTSIDE BODIES
AND PARTNERSHIP BODIES 2018/19

(i) London Councils' Appointments

Leaders' Committee (S.101 Joint Committee)

(One Member and up to two deputies)

Cllr

Cllr (deputy)

Associated Joint Committee (London Councils Transport and Environment Committee)

(One Member and up to 4 deputies)

Cllr

Cllr (deputies)

Grants Committee (Associated Joint Committee)

(One Member and up to 4 deputies)

Cllr

Cllr Vanessa Allen (Lab) (deputies)

Pensions CIV (Sectoral Joint Committee)

(One Member and up to 2 deputies)

Cllr

Cllr (deputy)

Greater London Employment Forum

(One Member and one deputy)

Cllr Kevin Brooks (Lab)

Cllr Kevin Brooks (Lab) (deputy)

Lead Members for London Councils

Children & Young People/Safeguarding:

Employment and Skills:

Economic Development/regeneration

Crime and Public Protection:

Arts/Culture, Tourism & Sport:

Health

Adult Services:

Housing:

Planning/Infrastructure/Development:

(ii) Partnership Appointments

Safer Bromley Partnership Strategic Group

Cllr Kate Lymer (appointed by full Council on 16th May 2018)

Safer Neighbourhood Board

Cllr Kathy Bance (Lab), (3)

Bromley Economic Partnership

Cllr Vanessa Allen (Lab)

Cllr Julian Benington (Ind)

Adult's Safeguarding Board

Cllrs (2)

Children's Safeguarding Board

Cllrs (2)

(iii) Care Services Appointments

Age Concern (Greater London)

Cllr

Early Years Development & Child Care Partnership

Cllr

(iv) **Education Appointments**

Management Committee of Wood Lodge Living Skills Centre

Cllr

Bromley “Y” Project

Cllr Kevin Brooks (Lab) (2)

Mentoring Steering Group

Cllr

Cllr (deputy)

(v) **Environment Appointments**

London Road Safety Council

Cllr

Southern Regional Flood Defence Committee

*(Joint representative for Bromley/Bexley/Greenwich –
Nomination anticipated from LB Bexley)*

(vi) **Renewal and Recreation Appointments**

Bromley Arts Council

Cllrs (4)

The Crystal Palace Community Development Trust

(Crystal Palace Ward Councillor)

Cllr Marina Ahmad (Lab)

Greater London Enterprise

Cllr

London Youth Games

Cllr

Proactive Bromley

Cllrs (2)

(vii) **General Appointments**

Biggin Hill Airport Consultative Committee

Representative of the Council as freeholder:

Cllr (deputy Cllr)

Representative of Biggin Hill Ward:

Cllr Melanie Stevens (Ind) (deputy Cllr)

Representative of Darwin Ward:

Cllr (deputy Cllr)

Bromley Town Twinning Association

Cllr Kathy Bance (Lab) (3)

Clarion Housing (formerly Affinity Sutton) – London & East Regional Scrutiny Group

Cllr

Community Links Bromley

Cllrs (2)

Leadership Committee of the Bromley Community Fund

Cllr

(viii) **Three Year Appointment**

Oxleas NHS foundation Trust: Council of Governors

Cllr

(ix) Four Year Appointments

Mytime Active

Cllrs (2)

Cray Valley War Memorial Hall

Councillors or members of the public (4)

The Petts Wood and Hawkwood Committee

(One representative from Petts Wood & Knoll and one deputy from Chislehurst)

Cllr (deputy Cllr)

Reserve Forces and Cadets Association for Greater London

Cllr

Thomas Stringer Charity, Cudham

Cllr Melanie Stevens and Cllr (2)

Keston Village Hall Trust

(3 representatives - The Trust requests the re-appointment of Mr Martyn Baker, Mrs Pam Broughton and Mrs Maureen Marshall.)

Bromley Youth Music Trust Board of Directors

Cllr

Mytime Active

Cllr Josh King (Lab) (2)

Thames Regional Flood Defence Committee

(Appointment shared with Lewisham, Croydon, Lambeth and Southwark – nomination expected from LB Lewisham)

The Hayes (Kent) Trust

(The Trust requests the re-appointment of Mrs Alison Naish)

Kelsey Park Avenue Trustees

(Kelsey & Eden Park Ward Councillor)

Cllr

Nash College

Cllr

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Report No.
CSD18080

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: 29th May 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: £350,650
 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. The forthcoming meetings for the 2018/19 Council year are set out in [Appendix 1](#), with the reports anticipated at each meeting.
- 3.5 For Members’ information, the terms of reference of this Committee and its Sub-Committees are set out in [Appendix 2](#) to this report.

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

Appointments to Outside Bodies
Scheme of Delegation to Officers
Work Programme

25th July 2018

Audit of Financial Statements 2017/18
Local Pension Board Appointments
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 2019
Programme of Meetings 2019/20
Pay Policy Statement 2019/20
Members Allowances 2019/20
Reports of Executive Assistants for 2018/19
Licensing Update
Work Programme

19th March 2019

Licensing Update
Work Programme

2.01 **General Purposes and Licensing Committee** (Membership proportional – may include one Member of the Executive from each recognised party group, subject to Executive Members not being in a majority.)

- (a) Electoral issues
- (b) Making byelaws
- (c) Administration of the Local Government Pension Scheme
- (d) Staffing matters
- (e) Probity Strategy
- (f) Audit
- (g) Open Government
- (h) Fraud Prevention
- (i) Complaint Procedures
- (j) Member appointments
- (k) Health and Safety
- (l) Licensing of births, deaths and marriages
- (m) licensing matters, including, where appropriate, determining cases relating to individual licences
- (n) Non-executive highway functions as set out in Schedule 1 to the Functions Regulations (excluding functions under the Town & Country Planning Act 1990)
- (o) Any non-executive function not delegated elsewhere or reserved to Council.

2.02 **Audit Sub-Committee** (Membership proportional – may include one Member of the Executive from each recognised party group, subject to Executive Members not being in a majority.)

- Monitor internal audit's strategy, plan and performance.
- Review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary.
- Consider the reports of external audit and inspection agencies.
- Consider the effectiveness of the authority's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements.

- Seek assurances that action is being taken on risk related issues identified by auditors and inspectors.
- Be satisfied that the authority's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and any actions required to improve it.
- Ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is demonstrated and actively promoted.
- Review the financial statements, external auditor's opinion and reports to members, and monitor management action in response to the issues raised by external audit.

2.03 **Pensions Investment Sub-Committee** (Membership proportional – may include one Member of the Executive from each recognised party group, subject to Executive Members not being in a majority.)

- (a) monitoring the financial position of the Pension Fund, including consideration of the triennial actuarial valuations;
- (b) investment of the Pension Fund, including the appointment of investment managers;
- (c) management of the Council's additional voluntary contributions (AVC) scheme;

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.

2.05 **Local Joint Consultative Committee** (Membership proportional to include the Leader or named Deputy also from the Executive, the Chairman of General Purposes and Licensing Committee or named Deputy also from the General Purposes and Licensing Committee and the Chairman of the Main Policy Development and Scrutiny Committee or named Deputy also from the Main Policy Development and Scrutiny Committee)

- (a) To enable regular consultation and discussion between the Local Authority and its employees.
- (b) To consider matters referred to it by the General Purposes and Licensing Committee or the Executive or by employee representatives or Trade Union representatives.
- (c) To make recommendations to the General Purposes and Licensing Committee or Executive.
- (d) To refer matters for consideration by and advice of the Association of London Government.

2.06 **Appeals Sub-Committee** (Membership excluding Members of the Executive drawn from a panel appointed by the Council and constituted as and when necessary by the Council or, where delegated, named decision-maker.)

To determine appeals against any decision of the Council including:

- staff dismissal, discipline, grading, capability, early retirement, pension entitlement or other reasons
- access to information
- social services matters including domiciliary charges, registration of child minders, persons providing day care for children, registration of residential care homes and others, which carry a statutory right of appeal
- education transport appeals.
- internal reviews relating to listing and compensation appeals under the community right to bid

(Note: This Sub-Committee will not consider appeals by Chief Officers concerning appraisal, disciplinary investigations or disciplinary matters).

2.07 **Licensing Sub-Committee** (Three Members to be drawn from the General Purposes and Licensing Committee and to include no more than one Member of the Executive)

Concurrently with General Purposes and Licensing Committee -

1. Gaming, entertainment, food and miscellaneous licensing and functions relating to licensing and registration as set out in Schedule 1 of the Functions Regulations.
2. All functions arising pursuant to the Licensing Act 2003 apart from a function conferred by Section 5 of that Act in respect of the Statement of Licensing policy.

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PENSIONS INVESTMENT SUB-COMMITTEE

Minutes of the meeting held at 7.00 pm on 20 February 2018

Present

Councillor Keith Onslow (Chairman)

Councillors Eric Bosshard, Simon Fawthrop, David Livett,
Colin Smith, Teresa Te and Angela Wilkins

Also Present

John Arthur, Allenbridge
Geoff Wright, Local Pensions Board (Observing)

24 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Cllr Russell Mellor and Cllr Richard Williams. The Leader of the Council, Councillor Colin Smith, attended as alternate for Cllr Mellor and Cllr Angela Wilkins attended as alternate for Cllr Williams.

Apologies were also conveyed on behalf of Alick Stevenson, Allenbridge, who was unwell and unable to attend the meeting. John Arthur attended for Allenbridge.

25 DECLARATIONS OF INTEREST

Cllr Smith declared an interest as a deferred Member of the L B Bromley Pension Scheme.

26 CONFIRMATION OF MINUTES OF THE MEETINGS HELD ON 26TH SEPTEMBER 2017, 21ST NOVEMBER 2017, AND 14TH DECEMBER 2017 EXCLUDING THOSE CONTAINING EXEMPT INFORMATION

The minutes were agreed subject to an amendment outlined in italics below.

The item was considered by Members under Part 2 proceedings in view of the restricted nature of certain details arising from the minutes. Those matters which can be covered in Part 1 minutes are outlined below with other details covered in the Part 2 (Restricted) minutes.

A Member was concerned that draft minutes of the 26th September meeting had been seen first by the General Purposes and Licensing Committee without being seen by the Sub-Committee and that his request to see the clerk's original draft minutes had been denied, questioning why this should be the case. The Member was particularly interested to compare the clerk's

original draft minutes against later text in relation to the £32.1m sale of Blackrock global equities to cover transfer of assets/ liabilities to the Local Pensions Partnership (Bromley College merger with Greenwich Community College). The minutes indicated that the Member had hoped that poorly performing Standard Life assets (DGF) would have been sold to cover the transfer rather than global equities held by Blackrock which had subsequently improved - the minutes conveying the Member as suggesting the fund had forgone some capital appreciation in selling the global equities. The Member highlighted that he had stated rather than suggested the fund had foregone some capital appreciation and that the final draft minutes excluded a value of lost capital appreciation which he understood to have been in the order of £2.1m or £2.2m (at the time of the 26th September meeting). Having the minutes then circulated to the General Purposes and Licensing Sub-Committee without the Sub-Committee first seeing the draft minutes was, he felt, unfortunate.

For the minutes of the 26th September meeting, Members agreed that the final sentence of the fourth paragraph at Page 7 should therefore be amended to read:

“He stated the fund had forgone an estimated £2.2m capital appreciation in selling the global equities and felt this had been a wrong decision seemingly based on poor performance over a three month period.”

The Director of Finance also provided a general update for Members on certain matters.

The new Minister for Local Government, Rishi Sunak, (appointed on 9th January 2018) is interested in pooling and has an investment background.

In regard to Carillion and its liquidation, the Director indicated that three local government pension funds had invested with Carillion and 13 local authorities had outsourcing agreements with Carillion. In accordance with TUPE conditions, contracted-out staff at Carillion had protected Local Government Pension benefits, and it was expected that the deficit would need to be funded by the LGPS administering authority.

Under *The Markets in Financial Instruments Directive II (MiFID II)*, the Director reported that L B Bromley’s application to opt-up to elective professional status had been successful and had passed the relevant test.

The Director also referred to a review by GAD (the Government Actuary’s Department) on the affordability of pension funds and the proportion of employer/employee costs for funds.

Developments on specific matters related to the London Collective Investment Vehicle (CIV) were also considered under Part 2 proceedings. Details are covered in the Part 2 (Restricted) minutes under the item confirming exempt minutes of the meetings held on 21st November 2017 and 14th December 2017.

27 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

There were no questions.

28 PENSION FUND PERFORMANCE Q3 2017/18

Report FSD18018

Details were provided of the Fund's investment performance for the third quarter of 2017/18. Additional detail was provided in an appended report from the Fund's external advisers, AllenbridgeEpic and Baillie Gifford provided commentary on its performance and economic outlook (recent developments in financial markets, their impact on the Fund and future outlook). Information on general financial and membership trends of the Pension Fund was also outlined along with summarised information on early retirements.

The market value of the Fund ended the December quarter at £998.0m and had risen further to £1,010.9m at 31st January 2018. The third quarter total fund return was 4.4% against a benchmark of 3.9%. This compared to a 4.0% average across the 60 LGPS funds in the PIRC universe.

Concerning the Markets in Financial Instruments Directive II (MiFID II) which came into force on 3rd January 2018, the Fund's status as elective professional (with all relevant counterparties, including advisers and custodian) would be kept under regular review with counterparties added or removed as necessary for the Fund's investment needs.

With the Council's ongoing commissioning programme, British Telecommunications plc and Greenwich Leisure Limited became admission body employers within the Fund from 1st November 2017. This followed transfer of the remaining ISD Service and contract award for library services. Two academies had also changed cleaning contractors from 1st January 2018 and officers were liaising with contractors on an exit valuation for the outgoing admission body and with the successor contractor in obtaining admitted body status within the L B Bromley Fund.

The following Fund Manager attendance was also proposed for future Sub-Committee meetings:

- 22nd May 2018 – MFS (global equities)
- 24th July 2018 – Fidelity (fixed income, multi-asset income and property)
- 7th November 2018 – Schroders (multi-asset income)
- 5th March 2019 – Baillie Gifford (global equities and fixed income)
- 23rd May 2019 – MFS (global equities).

Client Service Directors from Baillie Gifford attended for the item – Kenneth Barker, John Carnegie, and Paul Roberts. In view of Kenneth Barker's

impending retirement, John Carnegie was introduced as Baillie Gifford's partner representative for the L B Bromley Fund with Paul Roberts introduced as a Baillie Gifford specialist on Fixed Income.

The value of Baillie Gifford's Portfolio for the Fund (Global Alpha, Fixed Income, and Diversified Growth) stood at £492,837,299 at 31st December 2017 with Global Alpha at £383,618,920, Fixed Income at £57,818,417 and Diversified Growth at £51,399,962.

A number of questions were asked about Baillie Gifford's Global Alpha and Fixed Income performance and discussion included the positive effect of currency and foreign exchange benefits for the portfolio. On Fixed Interest (and upon request), Mr Barker offered a view that it might be preferential to invest in corporate bonds rather than gilts.

Along with good long term performance, it was a strong year for global equities with high end tech companies performing particularly well. Exceptional performance had been achieved over the past few years alongside benefits from falling sterling. Baillie Gifford looked to invest over a five-year period and they expected Global Equities to return well over the next five years.

On governance, Baillie Gifford indicated they would be prepared to veto (vote against) Directors receiving high remuneration packages for poor company performance. However, rather than vote against a package, Baillie Gifford would also want to say why a remuneration level might be wrong and warn that a similar voting outcome could lead to Baillie Gifford selling shares in the company. Baillie Gifford offered to come back with further detail and check for any votes against (such packages) when shares in a company had been sold.

The Chairman thanked Ken Barker for his contributions over the years and wished him well for retirement. In turn, Mr Barker praised L B Bromley, highlighting that Members and officers are engaged, with the Fund fully funded. The Chairman also welcomed John Carnegie and Paul Roberts to the L B Bromley Fund.

Baillie Gifford representatives left the room. Mr Arthur highlighted the Fund's good third quarter performance and strong markets. In fixed interest, returns are low but managers had achieved a good performance against benchmarks. The Fund is doing well as are the Managers.

Globally, Mr Arthur felt the U.S. economy is now "alight" although a rise in U.S. interest rates is just beginning to dampen the U.S. economy. There is a concern on over dampening and therefore a slight wobble in markets.

There is a small flame in the Japan economy and the Europe economy is alight. The UK economy is being dampened slightly through a level of uncertainty. Mr Arthur expected equities to hold their own at the present time.

A lot of Quantitative Easing (QE) had taken place to ignite economies but this had mainly occurred in developed markets. In Brazil, interest rates fell as the economy fell. Mr Arthur considered Baillie Gifford a good Fund Manager although last year was near the top of their achievement with strong performance in technology; however, something was bound to come along to upset this and Baillie Gifford's technology exposure was something to monitor. Mr Arthur thought equities would continue to rise although there was now a slightly greater level of uncertainty. A Member highlighted that last year saw the biggest ever investment to the UK regardless of Brexit.

A further Member highlighted Venezuela's serious economic difficulties and any knock-on effect for world markets. Mr Arthur thought that Venezuela's collapsing (imploding) economy is well flagged and would be surprised if Managers had exposure in the country.

RESOLVED that:

- (1) the contents of Report FSD18018 be noted; and**
- (2) the proposed timetable of fund manager attendance, set out at paragraph 3.8.1 of Report FSD18018, be agreed.**

**29 PROCUREMENT PROCESS FOR FUND MANAGER
 APPOINTMENTS**

Report FSD18020

Following the recent appointment of fund managers for Multi-Asset Income and UK Pooled Property Fund mandates, Members received a report from Allenbridge (appended to Report FSD18020) providing further details of the procurement process followed. It provided commentary on the 2015 UK Public Procurement Regulations setting out the rules under which all contracting authorities must procure public contracts above a certain value. Procurement for the recent manager selection was conducted under those rules.

Allenbridge outlined general procurement principles under the rules and provided commentary on the type of tender undertaken i.e. a Restricted Tender to procure a provider of a highly technical service such as fund management. Allenbridge also described the stages under the Restrictive Tender process and what they involved.

RESOLVED that the contents of Report FSD18020 be noted.

**30 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE
 LOCAL GOVERNMENT (ACCESS TO INFORMATION)
 (VARIATION) ORDER 2006 AND 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**

**31 CONFIRMATION OF EXEMPT MINUTES OF THE MEETINGS
HELD ON 21ST NOVEMBER 2017 AND 14TH DECEMBER 2017**

The exempt minutes of both meetings were agreed.

Under Part 2 proceedings, the Director also updated Members on specific matters related to the London Collective Investment Vehicle (CIV).

32 APPOINTMENT OF AN ACTUARY

Report FSD18017

Report FSD18017 outlined results of the tender process for actuarial services including a recommendation for award of contract which was agreed.

**33 CONSIDERATION OF RESTRICTED MATTERS ARISING FROM
MINUTES OF THE MEETING HELD ON 26TH SEPTEMBER
2017**

In considering minutes of the Sub-Committee's meeting held on 26th September 2017, matters were raised of a restricted nature which were accordingly considered under Part 2 proceedings of the meeting.

The Meeting ended at 9.52 pm

Chairman

AUDIT SUB-COMMITTEE

Minutes of the meeting held at 7.00 pm on 7 March 2018

Present:

Councillor Neil Reddin FCCA (Chairman)
Councillor William Huntington-Thresher (Vice-Chairman)
Councillors Ian Dunn, Will Harmer and Tony Owen

Also Present:

Deepali Choudhary, Catriona Ellis, David Hogan, Dan Jones and Linda Pilkington

Philip Johnstone attended from KPMG

27 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

No apologies for absence had been received.

28 DECLARATIONS OF INTEREST

There were no declarations of interest.

29 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 8th NOVEMBER EXCLUDING THOSE CONTAINING EXEMPT INFORMATION

The minutes of the meeting held on 8th November 2017 were agreed as a correct record.

30 QUESTIONS FROM COUNCILLORS OR FROM MEMBERS OF THE PUBLIC

No questions had been received from Councillors or from members of the public.

31 MATTERS OUTSTANDING FROM THE PREVIOUS MEETING- EXCLUDING EXEMPT ITEMS

CSD 18041

Members noted and commented on the Matters Arising report.

Members discussed the arrangements to recruit a Trainee Auditor. Funding for this would be available from April. LBB may decide to target the

recruitment process to students leaving school and college as the training would not commence until September.

Members noted the ongoing correspondence relating to the SFIS service initiated by the Department for Work and Pensions. To this end, the Chairman had written a letter to the Right Honourable Esther McVey MP, who was the Secretary of State for Work and Pensions. The letter expressed LBB's continued concern about the Department's penalties policy, which was at odds with LBB's normal practice when prosecuting fraud cases.

The Committee discussed the matter of insurance cover against cyber-attacks. Some insurance companies offered cover, but in most cases it was not clear as to what exactly would be covered. Many policies would not cover problems caused by Malware which was one of the main areas where a cyber-attack would originate. The matter would need to be discussed further by the Corporate Risk Management Group.

The matter of the objections to the accounts was updated upon in the Internal Audit Progress report.

RESOLVED that the Matters Arising report be noted.

32 QUESTIONS ON THE REDACTED REPORTS PUBLISHED ON THE WEB

No questions had been received concerning the internal audit reports that had been published on the Council website.

33 EXTERNAL AUDIT PLAN 2017-2018

FSD 18021

Members were presented with an External Audit Plan summary report for 2017-2018, written by David Hogan—Head of Audit.

The report had been written to provide a review of the External Auditor's annual plan arrangements for 2017-2018.

Also presented to Members was KPMG's External Audit Plan report to LBB for 2017/18. Mr Phil Johnstone attended from KPMG to answer any questions.

The Chairman was pleased to note that the audit fee had not increased.

Mr Johnstone explained that last year it had been possible to issue opinions concerning the objections to the accounts, but this was not the case for this year. It was not possible to issue a certificate ratifying the accounts at this time. The issues raised were too complex and went back many years. The objector had asked for additional time to provide supporting information in respect of objections. The Chairman asked when the matter of the objections

would be finalised. Mr Johnstone answered that KPMG had not formally accepted the objections yet.

A Member asked Mr Johnstone if there was any similarity between the financial position of LBB and Northamptonshire County Council. Mr Johnstone stated that there was no similarity—the respective financial positions were poles apart.

The Committee noted page 6 of the KPMG report which highlighted revised deadlines for draft accounts and the use of accounting estimates.

RESOLVED that

1-The External Auditor's arrangements for the Audit Plan for 2017-2018 are noted

2- The Materiality limits set out in the Annual Plan are noted

3- Members note there was no increase in the audit fee compared to last year

4- Members note the significant risks identified in the Audit Plan

34 ANNUAL INTERNAL AUDIT PLAN 2018--2019

FSD 18022

The Annual Internal Audit Plan report—2018/19 was written by David Hogan, Head of Audit.

The Public Sector Internal Audit Standards (PSIAS) refer to the need to produce a risk-based Internal Audit Plan. This should take into account the requirement to produce an annual audit opinion and report that could be used by the Council to inform the Annual Governance Statement. The annual audit opinion must conclude on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control. To support this, the risk-based plan needs to include an appropriate and comprehensive range of work. The report sets out the approach to producing the draft audit plan and invites comments from Members. In addition the PSIAS require the chief audit executive to review and update the Internal Audit Charter on a regular basis.

Members were being asked to review the Audit Plan, and also the revised Internal Audit Charter.

It was noted that corporate risks would be tackled corporately. The Plan outlined audit tasks that were mapped against broad based risks identified for the authority as a whole.

The Chairman commented that the Risk Management Strategy had matured.

RESOLVED that the Annual Internal Audit Plan for 2018/19 and the Internal Audit Charter are approved.

35 INTERNAL AUDIT PROGRESS REPORT--PART 1

FSD 18023

The Internal Audit Progress report was written by Mr David Hogan, Head of Audit.

The report was written to inform Members of recent audit activity across the Council and provided updates on matters that had arisen since the previous meeting of the Audit Sub Committee.

Members discussed the update concerning Transforming Community Equipment Services (TCES). A Priority 1 recommendation had been identified regarding the roles and responsibilities for contract monitoring and contract compliance. The previous Contract Manager had retired in May 2017, and had not been replaced. Subsequently, the Director of Adult Social Care had confirmed that the Head of Service (Assessment and Care Management) would act as the Contract Manager, supported by the Strategic Commissioner.

Eight Priority 2 recommendations and three Priority 3 recommendations had been raised for a variety of matters relating to TCES. Remedial action for all of these was due to be in place by the end of the financial year.

A Member stated that since his return to the Audit Sub Committee, he had been impressed by the work being undertaken by Internal Audit. Another Member stated that the items being looked at were more interesting and substantial. The Chairman felt that strategic lessons had been learned. The Vice-Chairman said that LBB departments were now asking Internal Audit to come in and to review—management saw the value in this. A collegiate approach was being developed.

Members were briefed concerning the contributions policy for ECHS. It had been discovered that the Reablement Service had not been levying the required charges for cancelled and abortive visits. This was a Priority 1 recommendation. It was estimated that lost income was just over £10k.

The Committee was updated regarding the audit of agency staff. There were three Priority 1 recommendations. One of these involved the procedure for approving extensions for the use of agency staff beyond six months, which was not being followed. It was felt that Human Resources should be taking a more pro-active lead in these matters.

Members were appraised that the audit relating to the contract for grounds maintenance, park management and other related services had resulted in an

audit opinion of 'Substantial'. Seven Priority 2 recommendations were made to further improve controls.

Members discussed the matter of Gifts and Hospitality. It was noted that various versions of guidance were available on the Intranet, and so conformity was required. A Member expressed the view that all hospitality should be declined to avoid any allegations of corruption.

The objective of the planning audit was to look at the planning application process with particular emphasis on pre-application advice and the subsequent approval process. The review also looked at current planning enforcement arrangements. A Member expressed the view that if an officer provided pre-planning advice and then wrote the associated report, then this was not impartial. Mr Hogan stated that all the reports should be signed off by a manager or Chief Officer. It was noted that the regulatory body was happy with the same person giving pre-application advice, and then writing the final report.

Members noted progress concerning the follow up audit of Biggin Hill Airport and the Glades. Assurances had been provided that a sample of evidence of income and expenditure incurred on the quarterly statements would be provided with respect of the quarter ending March 2018. On this basis the previous Priority 2 recommendation was regarded as resolved.

The Head of Audit updated Members concerning the follow up audit of Building Control. He explained that there was no interface between the Oracle financial system and the Uniform Building Control case management system—so that no automatic reconciliation of financial data could take place. The Head of Building Control was now in discussions with the IT provider to see if output from both systems could be combined for reconciliation purposes. To this end a work request had been raised.

The Committee was informed that all of the recommendations with respect to Street Works and Defaults had now been implemented.

Members were briefed concerning the two Priority 1 recommendations for Contract Monitoring. It had been agreed that documents in the legal vault be scanned, and that a Document Management System (DMS) be developed to provide a robust repository for contract documentation. Internal Audit regarded the two Priority 1 recommendations as 'in progress'.

Members discussed the Priority 1 update concerning Document Storage and Retention. The Director of Regeneration had previously advised that this matter was not likely to be resolved until the Civic Centre Accommodation strategy had been progressed. Meanwhile Members heard that the number of storage boxes was increasing. The Chairman expressed the view that the Civic Centre Accommodation strategy was not likely to be progressed any time soon, and there was a consensus amongst Members that in the meantime action should be taken.

The Committee noted that comprehensive new documentation had been produced for all aspects of the authorisation process, and that these could now be found on the Commissioning & Procurement One Bromley Site, and on Team Contract Management.

The Internal Audit Team had evidenced significant progress in improving the eviction process; this being the case the Priority 1 recommendation with respect to Temporary Accommodation was considered closed.

Members noted the internal audit reports that had been published.

36 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 listed below as it was 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.

37 EXEMPT MINUTES OF THE MEETING HELD ON 8th NOVEMBER 2018

The exempt minutes of the meeting held on 8th November 2018 were agreed and signed as a correct record.

38 MATTERS ARISING FROM THE MEETING ON 8th NOVEMBER 2017--EXEMPT INFORMATION

Members noted and commented on the matters arising relating to exempt information.

39 INTERNAL AUDIT FRAUD, INVESTIGATIONS AND EXEMPT ITEMS REPORT

Members noted and discussed confidential matters relating to the Internal Audit Fraud, Investigations and Exempt Items report.

40 DATE OF THE NEXT MEETING

The next meeting is scheduled for May 24th 2018.

The Meeting ended at 9.30 pm

Chairman

LOCAL JOINT CONSULTATIVE COMMITTEE

Minutes of the meeting held at 6.30 pm on 5 April 2018

Present:

Employer's Side

Councillor Russell Mellor (Chairman)
Councillor Nicholas Bennett J.P.
Councillor Stephen Carr
Councillor David Cartwright QFSM
Councillor Simon Fawthrop
Councillor Colin Smith
Councillor Michael Turner
Councillor Angela Wilkins

Staff Side and Departmental Representatives

Gill Slater (Unite Representative) (Vice-Chairman) (Unite Representative and Vice Chairman)
Nicola Musto, Environment and Community Services
Adesina Suleiman, Education, Care & Health Services

69 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from the following Departmental Representatives, Barry McIver, Jackie Goad, Stuart Henderson and Kirsty Wilkinson.

Apologies were received from Councillor Kate Lymer, and the Leader attended in her absence.

70 DECLARATIONS OF INTEREST

There were no declarations of interest.

71 MINUTES FROM THE PREVIOUS MEETING OF LOCAL JOINT CONSULTATIVE COMMITTEE HELD ON 25th OCTOBER 2017

The minutes of the LJCC meeting held on 25th October 2017 were agreed.

Gill Slater asked if going forward, the LJCC agenda could incorporate an item for a Matters Arising report. The Committee discussed the merits and demerits of Matters Arising reports generally, and it was noted that the LJCC historically had not required such reports. The majority of committee members felt that a Matters Arising report was not required for the LJCC.

It was suggested that the Council's policy concerning Matters Arising reports should be clarified at a Full Council meeting.

RESOLVED that the minutes of the previous meeting be agreed and signed as a correct record.

72 NOMINATION OF VICE CHAIRMAN

Gill Slater, in her capacity as the representative from Unite, nominated herself for the position of LJCC Vice Chairman.

The nomination was seconded by Councillor Michael Turner and agreed by the Committee.

RESOLVED that Gill Slater be appointed as Vice Chairman of the LJCC.

73 UPDATE FROM DEPARTMENTAL REPRESENTATIVES

Nicola Musto and Adesina Suleiman attended on behalf of the Departmental Representatives.

Ms Musto updated the Committee concerning the work that she had been undertaking as Bromley's 'Well-Being Champion for Mental Health'. Ms Musto tabled a document on the evening for the attention of Committee members. The document was well-received by the Committee and gave an overview of the following mental health areas:

- Definition of a Wellbeing Champion
- Statistical data concerning mental health issues
- Differences between physical and mental health
- Causes of mental health difficulties
- Signs of mental health issues
- Support Mechanisms
- How to discuss mental health issues
- Ways of reducing stress

The Director of Human Resources (Charles Obazuaye) gave positive feedback on the document and reported that HR had been working closely with Ms Musto to provide support as required. Managers had been provided with guidance around the signs that a person developing mental health issues may exhibit, as well as guidance on how to deal with such issues. LBB had a legal and social responsibility to support staff in this regard. It was in the Council's interest to support the work, as stress-related absenteeism would reflect on productivity.

Ms Musto was asked if she had been provided with training, and she confirmed that she had been provided with training from MIND. She had recently met with Antoinette Thorn from HR, to discuss how the work could be developed and expanded. Councillor Carr suggested that the work be expanded in co-operation with relevant statutory partners. Ms Slater queried if LBB was involved in other national initiatives.

Councillor Carr expressed his thanks to Ms Musto for all of the hard work that she had undertaken in this area. The Chairman similarly expressed his

appreciation and best wishes for the future development of the work. Councillor Fawthrop agreed that the momentum of the work should continue unabated.

RESOLVED that the mental health and well-being update from the Departmental Representatives is noted.

74 RISKS ASSOCIATED WITH CONTRACTING LOCAL AUTHORITY FUNCTIONS TO LARGE OUTSOURCING COMPANIES

The Director of Commissioning (Lesley Moore) attended to update the Committee on how LBB managed risks when contracting out services to large outsourcing companies. The Council spent around £200m on contracting with third party providers (around 40% of overall expenditure) and this had provided significant savings to the Council over the years, avoiding cuts in services.

As part of the risk management process, the contracts data-base was programmed with an alerting system that provided notifications when a financial check on the contractor was required. Additionally, considerable time was spent on the tendering and contracting process, and on reviewing the financial status of companies. Councillor Fawthrop urged caution so that due diligence was also applied to smaller contracts. He stated that in some government contracts, credit rating clauses were factored in.

The Vice-Chairman agreed that LBB had improved its oversight of contract monitoring. However, she pointed out that 'Carillion' had been regarded as solvent and then had collapsed quickly. She asked if LBB had contingency plans in place if such an incident occurred with a large company that LBB may have outsourced a sizeable contract to. She stated that Amey was working to tight margins, and asked if the relevant contingency plans were in place.

Councillor Carr responded that he could only recall three contracts that had experienced significant problems since the outsourcing process began:

- Bromley Connexions
- Children's Services
- Legal Services

These contracts had all been brought back in house quickly when required. He was confident therefore, that such matters could be dealt with swiftly and effectively. He referred back to the original question which noted the Union's concerns with the quality of service provided when services were outsourced. He stated that as these services would have been carried on by former Bromley staff, was not such a statement an insult on the quality of work undertaken by these staff? On this basis he asked if the Vice Chairman would withdraw the statement.

The Vice-Chairman responded that she was not insulting staff in any way. She explained that there were other factors that would affect service levels such as reduced staff numbers, and the need to back-fill.

The Leader stated that the Council had no plans to reverse its commissioning strategy as this had proved effective and saved the Council a lot of money. He referred to a failed strike at a GLL controlled library and expressed the view that the reason for the strike was politically motivated. He stated that if any contracts failed after being outsourced, the service would be TUPED back in to the Council and the situation would be reviewed. As part of the contracting process the Council always asked for a Performance Bond or a Parent Company Guarantee. The bond was then available to meet any additional costs that the Council may incur as a result of contract failure.

For the sake of clarity, the Director of HR explained what was meant by TUPE. It meant that when contracts were outsourced, the employees maintained their existing terms and conditions. The new employer may propose changes in very exceptional circumstances where there were economic, technical or organisational reasons.

Councillor Angela Wilkins expressed the view that not all contracts ran smoothly and she cited as her examples the Waste Services contract and the Domiciliary Care contract. The Director of Commissioning responded that the Waste Services contract had served the Council well and that with the features that had been programmed into the functionality of the Contracts Database she was confident that previous issues would not resurface.

Councillor Fawthrop said that in terms of Internal Audit, their remit tended to cover 'failed performance' rather than financial viability. It was now the case that all contracts had exit plans and 'bust' clauses and so LBB was comprehensively protected.

The Director of Commissioning highlighted that larger providers could invest in IT and generally take advantage of economies of scale.

The Chairman concluded the discussion by stating that in his view, the management of outsourced contracts was very sound and thorough. Contractors were scrutinised and penalties were invoked if required.

75 THE ANNUAL PAY AWARD

Ms Slater expressed her disappointment that the pay award of 2% was below the RPI which was 3.6% at the time of the meeting. The unions regarded this as a pay cut in real terms. It was noted that the national offer had not yet been accepted. Ms Slater stated that it was important the Council offered realistic pay increases in order to avoid problems with staff retention.

Councillor Carr referred to the statement that had been written by Unite in the question:

'How do Members propose to honour commitments made to staff, that their annual pay award would be better than those agreed nationally and that as the number of directly employed staff fell, LBB would pay staff better?'

Councillor Carr asserted that this was a false statement in that the supposed promise to pay staff better than the nationally agreed terms had never been made. He asked Ms Slater what source could be provided to justify the statement. Ms Slater responded that in her view, assurances were implied in meetings. Councillor Carr requested that the statement be withdrawn on the basis that it was not correct. The Chairman asked Ms Slater if she was prepared to withdraw the statement. Ms Slater responded that she was not in a position to withdraw the statement as it was not hers to withdraw.

The Chairman stated that the question was a mis-representation of the facts, and he agreed with Councillor Carr's rebuttal. The Chairman reminded the Committee that in addition to the 2% pay award, lower paid staff had been offered extra payments in the April pay round, and that the Council also had a pot of £200k that was going to be used for merited pay awards.

The Director of Human Resources stated that the question and the argument were obtuse, and that raising the matter now was wrong. He took exception to the question. The Director stated that he had led the pay negotiations and at no time did the Council promise that they would pay more than the national agreement. However, it was the case that over the last four years, Bromley staff had been paid better than the national agreement. He expressed the view that the question had been raised as a ploy to undermine the moral of Bromley staff. He said that Bromley staff did not support Unite in this matter and that was why there had not been any industrial action. The days of large pay increases had passed.

Ms Slater expressed the view that the matter was not just about large pay awards, but that it was about pay awards reflecting increases in the cost of living and that public sector workers were being financially penalised by decisions to remain in the private sector.

The Director informed the Committee that Bromley staff would receive their pay award in their April pay, which was not the case when pay awards were agreed via national terms and conditions, where it took longer to finalise and action. The Director expressed the view that the merited pay award scheme was popular with staff.

The Chairman wanted the Committee to also note that LBB was trying to help lower paid staff, which was something in the past which had been opposed by the unions. The Director of HR addressed the matter of recruitment and retention and stated that the union's data was inaccurate and that LBB had a very low attrition rate; staff were not leaving and 80 staff had been recruited into Children's Services.

Councillor Angela Wilkins objected to the comment that the unions did not have the correct figures and stated that she was unhappy with the tone used by the Director of HR.

Councillor Fawthrop responded that in his view the discussions had been constructive and that there was nothing wrong with the tone of the meeting and the comments expressed by all parties. He stated that poor performance could not be rewarded, and that it was not logical to suggest that poor performers should get a pay rise. He asked if LBB could be certain that it did not have 'bell curves' that it applied.

The Director of HR responded that it was LBB's policy that pay awards be linked to performance, and that LBB did not apply the bell curve. Performance was assessed individually. The number of poor performers across the Council at the time of the meeting was approximately 30, and that it was likely to be the case that 20 would have their pay increases withheld.

Councillor Fawthrop stated that it was important that 'poor performers' knew what was expected of them so that they had the opportunity to improve. The Director of HR explained that the process would be dealt with by line managers. If a pay increase was going to be withheld, then the manager would inform the staff member in writing, and the staff member would be informed of what he/she would need to do to improve.

Councillor Michael Turner commented that he was not aware that LBB withheld pay rises. The Director of HR responded that pay rises were not automatic, but were linked to performance. Councillor Nicholas Bennett asked about pay increments in addition to the standard 2% pay increase. It was confirmed that poor performers would not be eligible for either. Levels of pay could be re-instated if required, but not retrospectively.

Ms Slater commented that she had raised the matter concerning the pay award 'late' as the previous LJCC meeting had been cancelled. Councillor Wilkins asked if the matter of withholding pay was applicable at all levels. It was confirmed that this was the case except for teachers.

76 FINDINGS OF THE RECENT EMPLOYMENT TRIBUNAL CASE

The Director of HR suggested that this matter may be sub judice as there was a remedy hearing outstanding. It was the case that at the main tribunal hearing, LBB had been successful in 41 out of the 43 issues raised against the Council. The remedy hearing was to discuss the outstanding matters.

The Director of HR stated that there was nothing exceptional about the case that it should be published by the Council and it was LBB's practice not to report on tribunal hearings—in any case the findings of the case had already been published by the Tribunal Service and the information was freely available on the internet. The Director informed the Committee that no recommendations for the Council had been issued by the Tribunal.

Ms Slater stated that the Council had been found wanting on two points during the course of the Tribunal hearing and on this basis the matter should be discussed at the LJCC. She expressed the view that the whole of the tribunal case revolved around the relationship between the Council and the union. Resultantly, there were still lessons that could be learnt, even from the rest of the hearing where the Council had not been found deficient.

The Director of HR responded that the tribunal hearing was not about LBB's relationship with the unions, but it was an individual case. Such matters were not appropriate to be discussed at the LJCC. The Director offered to meet outside of the LJCC with Ms Slater if required.

Councillor Wilkins stated that she was a witness at the tribunal hearing. She felt that there were matters that had been discussed that were related to the LJCC, and that on that basis the matter should come back to the LJCC for further discussion. She asked if the date of the remedy hearing was known.

Councillor Nicholas Bennett commented that he had also been called to give evidence at the tribunal case, and noted that the resulting report had been published. He said that there had been three areas of remedy noted, and that two of these had been in relation to an individual requesting time off. The third matter was related to attending a conference connected to trade union activity, which was in turn subject to an ECJ ruling. He felt that in all of these cases, there were no lessons to be learnt by the Council that would justify the matter coming back to the LJCC. Councillor Simon Fawthrop agreed that there was no justification for the matter to be discussed at a future LJCC meeting. He cited the following reasons for this:

- The matter was sub-judice
- It was a case relating to an individual
- It was not a case related to the functioning of the LJCC
- The details had already been published

Ms Slater was disappointed that the majority of Members felt that there were no lessons to be learned. She felt that the LJCC was inextricably linked to the unions, which was a view that Members disagreed with. She felt that what was at stake were important issues concerning how the Council related to the unions.

Councillor Carr remarked that in his view the unions did not want to consult and negotiate with the Council. He would have preferred if they would sit down and take the opportunity to do so. Ms Slater responded that there were areas highlighted in the Tribunal case where the Council had crossed a line and that there were lessons that could be learnt.

Councillor Bennett motioned that the request for the matter to be discussed at a future meeting of the LJCC be dismissed for the reasons that had already been outlined in the meeting. The motion was seconded by the Leader. So it was resolved that the matter would not be brought back to a future LJCC

meeting. Councillor Angela Wilkins did not agree with the motion or the resolution.

RESOLVED that the issue of the findings of the recent tribunal case was not an appropriate matter to be brought back to a future LJCC meeting for reasons discussed in the meeting.

77 LEVELS OF ILL HEALTH BROUGHT ABOUT BY STRESS AND MENTAL HEALTH ISSUES

Councillor David Cartwright referred to the text of the question which read as follows:

'...the reality faced by Bromley staff, is one of poor basic working conditions, aggressive HR processes and high levels of work related stress.'

Councillor Cartwright questioned the truth of this statement and felt that the statement should be refuted as it was not true. Councillor Wilkins reminded the Committee that what was being requested was for the Council to undertake an audit of staff working conditions and well-being. Councillor Cartwright responded that it would not be right to undertake an action based on a false premise.

Mention was made of the appeal process for disciplinary hearings; many of the Members felt that having a three stage appeal process was too protracted. The Director of HR stated that poor working conditions were never an issue at appeal hearings.

The Leader mentioned problems that had occurred with the Amey contract. He said that failings had been identified and rectified. Similarly, the Director of HR stated that when required, Amey had been challenged by the Departmental Representatives and Members. It was not in the Council's interests to have poor working conditions. With respect to any cases involving dismissal, Members were informed. It was also noted that LBB had not lost any dismissal cases at tribunal hearings.

The Committee noted a document that had been tabled by the Director of HR. This detailed the number of employees categorised as suffering from 'Stress, Depression, Anxiety and Mental Health' issues over the last three years. The total number of LBB employees suffering from such issues during 2017/2018 was 46, with an average number of days off per person of 23.

The Director of HR stated that the absence figure was low, and it was also very important to note that many of these cases would not be related to stress and depression caused by the working environment at LBB.

The Chairman expressed the view that the opinion presented by the Union was factually incorrect. Ms Slater re-affirmed her view that there had been poor working conditions experienced by staff as a result of Amey's

deficiencies. She commented that until recently, there had not been any cold water for one of the ladies' toilets. The toilet referred to was still dirty.

Ms Slater expressed disappointment that a union representative was not allowed to attend Departmental Representative meetings.

Ms Slater referred to the ACAS guidance (2015) on conducting workplace investigations that was part of the agenda pack. She stated that the way that LBB was conducting workplace investigations was not in line with the ACAS code of practice, particularly with respect to the role of the investigator. She said that the Bromley procedures dated from 1992 and that the procedures outlined that they should be jointly agreed by the LJCC; furthermore it indicated that there were amendments in 2016 which, she noted, were not brought to the LJCC. She requested that the Bromley procedures be revisited in line with best practice and the matter came back to a future LJCC meeting.

Ms Slater asserted that with respect to disciplinary hearings, it should be the case that one set of documents be provided to each Chief Officer. She felt that procedural change was required to make the process less adversarial and unpleasant for all parties.

The Director of HR responded that with respect to procedures conforming to ACAS guidelines, the Council had never received any complaints from the tribunals concerning this. The Director of HR assured that the main report for a disciplinary hearing would have been provided to the staff member concerned in plenty of time, and in accordance with ACAS guidelines. By definition, such matters would have an element of adversarial content. The Director of HR clarified that the Council had a procedure specifically for managing absences.

The Leader expressed the view that the wording of the question was based on a false premise and was itself adversarial. It was designed for a unite trade union website, and was politically motivated.

Councillor Fawthrop came back to the issue of improving procedures, and he asked if hearings were recorded. The Director of HR replied that this was not currently the procedure, but it could be considered for the future, as well as associated clerking issues.

Councillor Wilkins feared that the baby was being thrown out with the bathwater, and that the requested audit was sensible.

Councillor Cartwright suggested that a positive way forward would be for Ms Slater to take up the Director's offer of a dialogue outside of the meeting. Councillor Cartwright said that LBB was not sending children up chimneys and that some of the matters raised were for management action. He felt that the terms of reference required for the suggested audit could take a year, were not achievable, and the cost would be prohibitive.

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The Chairman stated that the proposal should be rejected and the meeting was closed at 8.30pm.

78 DATE OF NEXT MEETING

The Chairman expressed his thanks to both the Employer's Side and the Staff Side, and especially to the Committee Clerk for his dedicated approach in dealing efficiently with all matters pertaining to the provision of effective administrative support for the Committee.

The date of the next meeting was confirmed as 18th July 2018.

The Meeting ended at 8.30 pm

Chairman

LOCAL PENSION BOARD

Minutes of the meeting held at 2.00 pm on 10 April 2018

Present:

Pinny Borg (Chairman)

Josepha Reynolds, Lesley Rickards and Geoffrey Wright

Also Present:

David Kellond, Councillor Keith Onslow, Peter Turner and
Graham Walton

12 CHAIRMAN OF INVESTMENT SUB-COMMITTEE AND DIRECTOR OF FINANCE

Before the meeting started, the Chairman of the Council's Pensions Investment Sub-Committee, Councillor Keith Onslow, and the Director of Finance, Peter Turner, attended to introduce themselves to the new members of the Board.

Councillor Onslow emphasised the different roles of his Sub-Committee and the Local Pension Board, and invited Pension Board members to attend the Sub-Committee's meetings (including part 2). He described how the Bromley Pension Fund was doing well – it was 100% funded and had recently won a national award for the best performance over 1, 3 5 and 10 years. However, as with most funds, there was a cash deficit, and there would need to be another asset allocation review in three years' time. The Council was working to ensure that the costs of the London Collective Investment Vehicle (CIV) were minimised.

The Director of Finance thanked Board members for their involvement and advised them to take advantage of the information in the Pensions Investment Sub-Committee agendas. The Sub-Committee comprised Councillors who were committed to obtaining the best returns for the Fund and expert advisors (Allenbridge) attended every meeting. He stated that Board Members would be welcome to attend the Pensions training laid on for Councillors.

13 DECLARATIONS OF INTEREST

There were no declarations of interest.

14 APPOINTMENT OF CHAIRMAN

It was confirmed that the appointments of Pinny Borg and Josepha Reynolds had been approved by Council the previous evening. Chairmanship of the Board was

due to rotate to one of the Employer representatives.

Pinny Borg was appointed chairman of the Board for the next twelve months.

15 MINUTES OF THE PREVIOUS MEETING HELD ON 10TH NOVEMBER 2016

The minutes of the meeting held on 10th November 2016 were agreed and signed by the Chairman.

Minute 9: Local Pension Board meetings were held in public, and any members interested in attending meetings of Boards for other local authorities as part of their training were advised to inform David Kellond.

Minute 9: It was noted that it was sometimes difficult to obtain data from some employers in the Fund. A standard template was provided to all employers, but not all used it. Responsibility to provide this information remained with the employer, rather than their chosen payroll provider. In extreme cases a referral to the Pensions Regulator might be considered.

16 MINUTES OF THE GENERAL PURPOSES AND LICENSING COMMITTEE MEETINGS HELD ON 28TH NOVEMBER 2017 AND 20TH MARCH 2018

The minutes of the General Purposes and Licensing Committee's meetings on 28th November 2017 and 20th March 2018, when matters relating to the Local Pension Board were discussed, were noted.

17 AMENDED TERMS OF REFERENCE

The Board noted its amended terms of reference, as agreed by General Purposes and Licensing Committee on 20th March 2018. The main changes were as follows:

Paragraph 7: Up to four meetings of the Board were allowed (one meeting per annum was the minimum requirement.)

Paragraph 13: the term of office had been extended from three years to four.

18 PENSION FUND ANNUAL REPORT 2016-2017

The Board received the 2016/17 Annual Report of the Bromley Pension Fund, which had been considered by the Pensions Investment Sub-Committee on 26th September 2017. It was noted that actuarial assumptions of life expectancy included three tiers of ill-health retirement.

19 LOCAL PENSION BOARD DRAFT ANNUAL REPORT

A draft Local Pension Board Annual report 2018 was tabled. This included summaries of Board Membership, Meetings, Activity and Training. David Kellond would re-circulate the information about the Pensions Regulator's online training

package. He also recommended reading the Mercer current issues newsletter. A training event had been arranged for 27th March 2018, but had been postponed due to lack of take-up and changes to Board personnel.

20 LOCAL PENSION BOARD WORK PLAN

The Board considered the issues on its work plan, and David Kellond suggested that if members thought of any other issues they should let him know.

21 ANY OTHER BUSINESS

David Kellond announced that he would be leaving the Council's employment in May – Geoffrey Wright led members in thanking him for his work with the Board.

The Meeting ended at 3.00 pm.

Chairman

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